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NEW DELHI, SATURDAY, JUNE 24, 1978/ASADHA 3, 1900

इस भाग में सिर्फ पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके
Separate paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii) PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों और (संघ राज्यक्षेत्र प्रशासनों को छोड़कर)
कोषीय प्राधिकारियों द्वारा जारी किये गए सांविधिक आदेश और अधिसूचनाएँ
Statutory Orders and Notifications issued by the Ministries of the Government of India
(other than the Ministry of Defence) by Central Authorities
(other than the Administrations of Union Territories)

भारत निर्वाचन आयोग

नई दिल्ली, 2 जून, 1978

क्र० अ० 1783—नोक प्रतिनिधित्व अधिनियम, 1950 (1950 का 43) की धारा 43क की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत निर्वाचन आयोग, मिक्किम सरकार के परामर्श से, श्री डी० के० मानवजन के अवकाश के दौरान श्री आर० के० गुप्ता, सचिव, विधान सभा, तथा अपर सचिव (गृह) को मिक्किम राज्य के लिये मुख्य निर्वाचन अधिकारी के रूप में एतद्द्वारा नाम निर्देशित करता है।

[सं० 154/मिक्किम/78]

ELECTION COMMISSION OF INDIA

New Delhi, the 2nd June, 1978

S.O. 1783—In exercise of the powers conferred by sub-section (1) of Section 13A of the Representation of the People Act, 1950 (43 of 1950), the Election Commission, in consultation with the Government of Sikkim, hereby nominates Shri R. K. Gupta, Secretary, Legislative Assembly and Additional Secretary (Home) as the Chief Electoral Officer for the State of Sikkim during the absence on leave of Shri D. K. Manavalan

[No 154/SKM/78]

266 GI/78—1

(1667)

आदेश

नई दिल्ली, 19 मई, 1978

क्र० अ० 1784—यत, निर्वाचन आयोग का समाधान हो गया 10 मार्च, 1977 में हुए केरल विधान सभा के लिए साधारण निर्वाचन के लिए 105—थिरवाला निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री के० कृष्णाकरन पिल्लई, आलूपारम्बिल, पालय-7, थिरवाला, जिला मल्लेप्पी (केरल राज्य) लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित के अन्दर तथा रीति से अपने निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहे हैं,

और, यत, उक्त उम्मीदवार ने, उसे सम्यक सूचना दिये जाने पर भी, अपनी इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है, और, निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है;

अतः, अब उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्द्वारा उक्त श्री के० कृष्णाकरन पिल्लई को संसद के किसी भी सदन के या किसी राज्य की विधान-सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

आदेश से,

[सं० केरल-वि० सं०/105/77]

ORDER

New Delhi, the 19th May, 1978

S.O. 1784.—Whereas the Election Commission is satisfied that Shri K. Karunakaran Pillai, Valuparambil, Paliakkara, Thiruvalla, Alleppey District (Kerala State), a contesting candidate for general election to the Kerala Legislative Assembly held in March, 1977 from 105-Thuvalla constituency, has failed to lodge the account of his election expenses within the time and in the manner required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after due notices has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri K. Karunakaran Pillai to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. KL-LA/105/77]

आदेश

नई दिल्ली, 29 मई, 1978

क्रा० आ० 1785.—यत्, निर्वाचन आयोग का समाधान हो गया है कि मार्च, 1977 में हुए केरल विधान सभा के लिए, साधारण निर्वाचन के लिए 122 चवारा निर्वाचन-क्षेत्र से चुनाये गये वाले उम्मीदवार श्री वरगीस जोर्ज, एडवोकेट, कवीलीन (केरल राज्य) लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्घोचन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे है,

और, यत्, उक्त उम्मीदवार ने, उसे सम्यक सूचना दिये जाने पर भी, अपनी इस असफलता के लिए कोई कारण प्रथवा स्पष्टीकरण नहीं दिया है, निर्वाचन आयोग का यह भी समाधान हो गया कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न रोजित्य नहीं है,

अतः, अब, उक्त अधिनियम की धारा 10-क के अनुसूचन में निर्वाचन आयोग एतद्द्वारा उक्त श्री वरगीस जोर्ज को सस्य के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कारावधि के लिए निरहित घोषित करता है।

[सं० केरल-वि०सं०/122/77]

वी० नागमुन्नद्वायन, सचिव

ORDER

New Delhi, the 29th May, 1978

S.O. 1785.—Whereas the Election Commission is satisfied that Shri Varghese George, Advocate Quilon (Kerala State), a contesting candidate for general election to the Kerala Legislative Assembly held in March, 1977 from 122-Chavara constituency, has failed to lodge the account of his election expenses at all as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate even after due notices, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said

Shri Varghese George, to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. KL-LA/122/77]

V. NAGASUBRAMANIAN, Secy.

नई दिल्ली, 8 जून, 1978

क्रा० आ० 1786—लोक प्रतिनिधित्व अधिनियम, 1953 की धारा 106 के अनुसूचन में, निर्वाचन आयोग, 1977 की निर्वाचन अर्जी सं० 1 में जोधपुर स्थित राजस्थान उच्च न्यायालय के तारीख 15 मई, 1978 का निर्णय एतद्द्वारा प्रकाशित करता है।

आर० डी० शर्मा, अवसर सचिव

[सं० 82/राज०लो०सं०/1/77]

S. B. Election Petition No. 1 of 1977, Kishan Lal Shah Vs. Nithuram Mirdha and another.

15th May, 1978

Hon'ble Sharma J.

15-5-78 Hon'ble Sharma J.

Mr. B. R. Arora—for the petitioner.

Mr. M. M. Singhvi—for non-petitioner No. 1.

Mr. B. K. Mohanani—for non-petitioner No. 2.

Shri Kishan Lal Shah, Election petitioner, applied for withdrawal of his election-petition by way of which he questioned the election of Shri Nathu Ram Mirdha to the Lok Sabha from Nagpur Parliamentary Constituency (No. 25). The withdrawal was sought on the ground that the petitioner is not keeping good health and is unable to pursue the election petition. A date for the hearing of this application was fixed and a notice thereof was given to the non-petitioners and published in the Rajasthan, Raj Patra i.e. Official Gazette on 12-2-1978. The non-petitioners No. 1 and 2 raised no objection to the application for withdrawal. They, however, pleaded that in case the application for withdrawal was allowed, the petitioner might be ordered to pay the costs of the non-petitioners heretofore incurred.

Arguments on the application for withdrawal were heard on 20-2-78 and the application of the petitioner for withdrawal of the election petition was granted as in the opinion of this Court there were just and reasonable grounds for withdrawal thereof and the application had not been induced by any bargain or consideration. The petitioner was ordered to pay Rs 500, as costs to Mr. M. M. Singhvi, learned counsel for the non-petitioner No. 1 and Rs. 250, to Mr. B. K. Mohanani, learned counsel for non-petitioner No. 2, out of the security amount deposited. A notice of the withdrawal was published in the Rajasthan Raj Patra, i.e. official gazette as well as in daily Hindi newspaper "Rajasthan Patrika", which has wide circulation in Rajasthan, on 27-4-1978. After publication of the notice of withdrawal, no person has applied within 14 days of such publication to be substituted in place of the party withdrawing, i.e. Kishan Lal Shah.

Hence, the election-petition filed by Kishan Lal Shah against the non-petitioners Nos. 1 and 2, namely, Nathu Ram Mirdha and Radha Kishan, is dismissed as withdrawn and a report of this fact be sent to the Election Commission of India immediately under section 111 of the Representation of the People Act.

Sd/-
Hon'ble. Sharma J.

वित्त मंत्रालय

(राजस्व विभाग)

नई दिल्ली, 20 अप्रैल, 1978

आय-कर

का० आ० 1787—केन्द्रीय सरकार, आय-कर अधिनियम, 1961 (1961 का 43) की धारा 10 की उपधारा (23-ग) के खण्ड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, “वीरायतन, नालन्दा” की निर्धारण वर्ष 1975-76 के लिए और से उक्त धारा के प्रयोजनार्थ अधिसूचित करती है।

[सं० 2277 (का० सं० 197/184/77—आ० क० (ग) 1]

MINISTER OF FINANCE

(Department of Revenue)

New Delhi, the 20th April, 1978

(Income-Tax)

S.O. 1787.—In exercise of the powers conferred by clause (v) of sub-section (23C) of section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies “Veerayatan, Nalanda” for the purpose of the said section for and from the assessment year(s) 1975-76.

[No. 2277 (F. No. 197/184/77-II(AI)]

नई दिल्ली, 27 अप्रैल, 1978

(आय-कर)

का० आ० 1788.—केन्द्रीय सरकार, आय-कर अधिनियम, 1961 (1961 का 43) की धारा 80 छ की उपधारा 2(ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, “श्री कल्लालगर मन्दिर, अलगर कोयल, मेसूर तालुक, जिला मदुरई, तमिल नाडु” को उक्त धारा के प्रयोजनों के लिए तमिल नाडु राज्य में सर्वत्र विख्यात लोक पूजा का स्थान अधिसूचित करती है।

[सं० 2285 (का० सं० 176/38/78-आ० क० (ग) 1]

New Delhi, the 27th April, 1978

(Income-Tax)

S.O. 1788.—In exercise of the powers conferred by sub-section (2)(b) of section 80(G) of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies “Shri Kallalagar Temple, Alagar Koil, Melur, Taluk Madurai District, Tamil Nadu”, to be a place of public worship of renown throughout the State of Tamil Nadu for the purposes of the said Section.

[No. 2285 (F. No. 176/38/78-II(AI)]

(आय-कर)

का० आ० 1789—केन्द्रीय सरकार, आय-कर अधिनियम, 1961 (1961 का 43) की धारा 10 की उपधारा (23-ग) के खण्ड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, “अरुण मिथू चिन्तामणिनाथ स्वामी मन्दिर” की निर्धारण वर्ष 1975-76 के लिए और से उक्त धारा के प्रयोजनार्थ अधिसूचित करती है।

[सं० 2286 (का० सं० 197/69/77 आ० क० (ग) 1]

एम० शाम्भू, अवर सचिव

(Income-Tax)

S.O. 1789.—In exercise of the powers conferred by clause (v) of sub-section (23C) of section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby

notifies “Arumigu Chinthamoniathaswami Temple, Vasudevallur” for the purpose of the said section for and from the assessment year(s) 1975-76.

[No. 2286 (F. No. 197/169/77-II(AI)]

M. SHASTRI, Under Secy.

नई दिल्ली, 6 जून, 1978

का० आ० 1790.—राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10(4) की शर्तों के अनुसार, केन्द्रीय सरकार एतद्वारा, अधिसूचित करती है कि अनुसूची में उल्लिखित आयकर विभाग के अधिकार क्षेत्रों/ कार्यालयों के कर्मचारियों ने हिन्दी का कार्य-साधक ज्ञान प्राप्त कर लिया है।

अनुसूची

1. आयकर आयुक्त, आगरा का अधिकार क्षेत्र।
2. आयकर आयुक्त, अलाहाबाद का अधिकार क्षेत्र।
3. आयकर आयुक्त, मध्य प्रदेश-I और मध्य प्रदेश-II का अधिकार क्षेत्र।
4. आयकर आयुक्त, दिल्ली का अधिकार क्षेत्र।
5. आयकर आयुक्त, राजस्थान, जयपुर तथा जोधपुर का अधिकार क्षेत्र।
6. आयकर आयुक्त, लेखनऊ का अधिकार क्षेत्र।
7. आयकर आयुक्त, कानपुर का अधिकार क्षेत्र।
8. आयकर आयुक्त, मेरठ का अधिकार क्षेत्र।
9. आयकर आयुक्त, नागपुर का अधिकार क्षेत्र।
10. आयकर आयुक्त, बिहार-I और बिहार-II का अधिकार क्षेत्र।
11. आयकर आयुक्त, हरियाणा तथा झुजोगढ़, रोहतक का अधिकार क्षेत्र।
12. आयकर आयुक्त, गुजरात के अधिकार क्षेत्र।
13. आयकर आयुक्त, पूर्ण के अधिकार क्षेत्र।
14. आयकर आयुक्त, पटियाला का अधिकार क्षेत्र।
15. आयकर आयुक्त, अमृतसर का अधिकार क्षेत्र।
16. निरीक्षण निदेशालय (आयकर), नई दिल्ली।
17. निरीक्षण निदेशालय (जांच), नई दिल्ली।
18. निरीक्षण निदेशालय (ग० सं० प्र०), नई दिल्ली।
19. गंगठन तथा प्रबन्ध (आयकर) सेवा निदेशालय, नई दिल्ली।
20. भारतीय राजस्व सेवा प्रत्यक्ष कर कर्मचारी महाविद्यालय, नागपुर।

[का० सं० ई०-11017/60/78-प्रशा० ix]

रमा कान्त, अवर सचिव

New Delhi, the 6th June, 1978

S.O. 1790.—In terms of Rule 10(4) of the Official Languages (Use for Official purposes of the Union) Rules, 1976, the Central Government hereby notify that the employees of the Charges/Offices of the Income-tax Department, specified in the Schedule, have acquired a working knowledge of Hindi.

SCHEDULE

1. Charge of the Commissioner of Income-tax, Agra.
2. Charge of the Commissioner of Income-tax, Allahabad.
3. Charges of the Commissioner of Income-tax, Madhya Pradesh-I and Madhya Pradesh-II.
4. Charges of the Commissioners of Income-tax, Delhi.
5. Charges of the Commissioners of Income-tax, Rajasthan, Jaipur and Jodhpur.
6. Charge of the Commissioner of Income-tax, Lucknow.
7. Charge of the Commissioner of Income-tax, Kanpur.

8. Charge of the Commissioner of Income-tax, Meerut.
9. Charge of the Commissioner of Income-tax, Nagpur
10. Charges of the Commissioner of Income-tax, Bihar-I and Bihar-II.
11. Charge of the Commissioner of Income-tax, Haryana & Chandigarh, Rohtak.
12. Charges of the Commissioners of Income-tax, Gujarat.
13. Charge of the Commissioner of Income-tax, Pune.
14. Charge of the Commissioner of Income-tax, Patiala.
15. Charge of the Commissioner of Income-tax, Amritsar.
16. Directorate of Inspection (I.T.), New Delhi.
17. Directorate of Inspection (Inv.), New Delhi.
18. Directorate of Inspection (Research, Statistics & Publication), New Delhi.
19. Directorate of Organisation & Management Services (Income Tax), New Delhi.
20. Directorate of Training, Indian Revenue Service (Direct Taxes), Staff College, Nagpur.

[F. No. E-11017/60/78-Ad. IX]
RAMA KANT, Under Secy.

नई दिल्ली, 15 मई, 1978

(आय-कर)

का० आ० 1791:—आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उप-खण्ड (iii) के अनुसरण में श्री राजस्व विभाग में भारत सरकार की अधिसूचना सं० 1911 (फा० सं० 404/27/77-आई० टी० सी० सी०), दिनांक 29-7-1977 तथा सं० 1206 (फा० सं० 404/4/76-आई० टी० सी० सी०), दिनांक 17-1-1976 के अतिरिक्त में, केन्द्रीय सरकार, एतद्वारा श्री आर० वी० पी० सिन्हा और श्री पी० कच्छप को, जो केन्द्रीय सरकार के राज-पत्रित अधिकारी हैं, उक्त अधिनियम के अन्तर्गत कर-वसूली अधिकारी की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है।

2. यह अधिसूचना श्री आर० वी० पी० सिन्हा तथा श्री पी० कच्छप के कर वसूली अधिकारी के रूप में कार्य-भार संभालने की तारीख से लागू होगी।

[सं० 2299 (फा० सं० 404/27/77-आई० टी० सी० सी०)]

एच० वेकटरामन्, उप सचिव

New Delhi, the 15th May, 1978

(Income-Tax)

S.O. 1791.—In pursuance of sub-clause (iii) of clause (44) of section 2 of the Income-tax Act, 1961 (43 of 1961), and in supersession of the notifications of the Government of India in the Department of Revenue No. 1911 (F. No. 404/27/77-ITCC) dated 29-7-77 and No. 1206 (F. No. 404/4/76-ITCC) dated 17-1-1976 the Central Government hereby authorises Sharvshri R. V. P. Sinha and P. Kachhap being a Gazetted Officers of the Central Government, to exercise the powers of Tax Recovery Officer under the said Act.

2. This Notification shall come into force with effect from the date Sarvshri R. V. P. Sinha and P. Kachhap take over charge as Tax Recovery Officer.

[No. 2299 (F. No. 404/27/77-ITCC)]
H. VENKATARAMAN, Dy. Secy.

(आर्थिक कार्य विभाग)

(बैंकिंग प्रभाग)

(नई दिल्ली, 12 जून, 1978)

का० आ० 1792.—राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) योजना 1970 की धारा 3 की उपधारा (ज) के अनुसरण में केन्द्रीय सरकार, श्री एम० वण्डापानि के स्थान पर वित्त मंत्रालय, आर्थिक कार्य विभाग (बैंकिंग प्रभाग), नई दिल्ली के संयुक्त सचिव श्री एन० आर० रंगनाथन को एतद्वारा इंडियन बैंक के निदेशक के रूप में नियुक्त करती है।

[सं० एफ० 9/16/78 बी० ओ०-1(1)]

च० व० मीरचन्दानी, अवसर सचिव

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 12th June, 1978

S.O. 1792.—In pursuance of sub-clause (h) of clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government hereby appoints Shri N. R. Ranganathan, Joint Secretary, Ministry of Finance, Department of Economic Affairs (Banking Division), New Delhi as a Director of the Indian Bank vice Shri M. Dandapani.

[No. F. 9/16/78-BO. I(1)]

C. W. MIRCHANDANI, Under Secy.

वाणिज्य नागरिक पूति तथा सहकारिता मंत्रालय

(मुख्य निबंधक, आयात-निर्यात का कार्यालय)

आदेश

नई दिल्ली, 1 जून, 1978

का० आ० 1792.—सर्वश्री हिन्दुस्तान इस्पात लि०, भिलाई इस्पात योजना, भिलाई, डिस्ट्रिक्ट बुरग (म० प्र०) को 53,56,000 रु० (तिरपन लाख, छपन हजार रुपए मात्र) का एक आयात लाइसेंस सं० आई/डी०/1077989/टी०/सी/आर/एच/65/77 दिनांक 15-11-77 स्वीकृत किया गया था। उन्होंने उक्त लाइसेंस की अनुलिपि मुद्रा विनियम नियंत्रण प्रयोजन प्रति के लिए इस आधार पर आवेदन किया है कि मूल मुद्रा विनियम निरक्षण प्रयोजन प्रति खो गई/अस्थानस्थ हो गई है। आगे यह बताया गया है कि मूल विनियम नियंत्रण प्रति सीमा-शुल्क प्राप्ति-कारियों के पास पंजीकृत नहीं करवाई गई थी। उसका उपयोग कर लिया गया है।

2. इस तर्क के समर्थन में आवेदक ने शपथ—आयुक्त के प्रमाण-पत्र के साथ एक शपथ-पत्र दाखिल किया है। मैं, तदनुसार, संतुष्ट हूँ कि उक्त लाइसेंस की मूल मुद्रा विनियम नियंत्रण प्रति खो गई है। इसलिए यथा संशोधित आयात (नियंत्रण) आदेश, 1955 दिनांक 7-12-55 की उप-धारा 9(सी सी) के अन्तर्गत प्रवर्तन अधिकारों का उपयोग करते हुए सर्वश्री हिन्दुस्तान इस्पात लि०, (श्री एस० पी०) के नाम में जारी किए गए लाइसेंस सं० आई/डी०/1077989/टी०/सी/आर/एच/65/77 दिनांक 15-11-77 को एतद्वारा रद्द किया जाता है।

3. लाइसेंसधारी को उक्त लाइसेंस की अनुलिपि मुद्रा विनियम नियंत्रण प्रयोजन प्रति अलग से जारी की जा रही है।

[सं० एच० एस० एल/बी-13/77-78/पी० एल० एस० (ए)]

ए० एन० भल्ला, उप-मुख्य निबंधक

MINISTRY OF COMMERCE, CIVIL SUPPLIES AND COOPERATION

(Office of the Dy. Chief Controller of Imports and Exports)

ORDER

New Delhi, the 1st June, 1978

S.O. 1793.—M/s. Hindustan Steel Ltd., Bhilai Steel Plant, Bhilai Dist. Durg. (M.P.) were granted an import licence No. ID/1077989/T/CR/H/65/77 dated 15-11-77 for Rs. 53,56,000 (Rupees fifty three lakhs and fifty six thousand only). They have applied for the issue of a duplicate Exchange Control Purposes copy of the said licence on the ground that the original Exchange Control purposes copy has been lost/misplaced. It is further stated that the original Exchange Purposes copy was not registered with the Customs authorities. It has not been utilised.

2. In support of this contention the applicant has filed an affidavit along with a certificate from Oath Commissioner. I am accordingly satisfied that the original exchange Control Purpose copy of the said licence has been lost. Therefore in exercise of the powers conferred under Sub-clause 9(cc) of the Imports (Control) Order 1955 dated 7-12-55 as amended the said original Exchange Control purposes copy of licence No. ID/1077989/T/CR/H/65/77 dated 15-11-77 issued to M/s. Hindustan Steel Ltd. (BSP), is hereby cancelled.

3. A duplicate Exchange Control purposes copy of the said licence is being issued separately to the Licensee.

[No. HSI./B-13/77-78/PLS(A)]

A. L. BHALLA, Dy. Chief Controller
of Imports & Exports

(निवेश व्यापार विभाग)

(उप मुख्य निर्यातक, आयात-निर्यात का कार्यालय)

आदेश

अहमदाबाद, 5 जून, 1978

क्र० आ० 1794—सर्वश्री कुंज बिहारी रोलर फ्लोर मिस्ट, पोस्ट बॉक्स नं० 7, गोधरा-बड़ोदा हाईवे, गोधरा को सिल्क/नाइलन/पोलिएस्टर बोल्टिंग कपडा और ग्रिट गॉज स्टील प्लेटेड कायर कपडा चिल्ड कास्ट प्रायरन रोलर्स के लिए 20,000 रुपये (बीस हजार रुपये मात्र) के लिए आयात लाइसेंस सं० पी०/ए/1877837, दिनांक 20-11-1977 प्रदान किया गया था।

उन्होंने उक्त लाइसेंस को 20,000 रुपये के लिए सीमा शुल्क प्रयोजन प्रति एवं मुद्रा विनिमय नियंत्रण प्रति की अनुलिपि प्रति जारी करने के लिए इस आधार पर आवेदन किया है कि मूल सीमा शुल्क प्रयोजन प्रति और मुद्रा विनिमय नियंत्रण प्रति किसी भी पत्तन प्राधिकारी से पंजीकृत कराए बिना और बिल्कुल उपयोग में लाए बिना ही खोई गई/अस्थानस्थ हो गई है।

अपने तर्कों के समर्थन में आवेदक ने एक शपथ-पत्र दाखिल किया है।

मैं संतुष्ट हूँ कि लाइसेंस सं० पी०/ए/1877837, दिनांक 3-11-1977 की सीमा शुल्क और मुद्रा विनिमय नियंत्रण प्रति खो गई है और निवेश देता हूँ कि आवेदक को उक्त लाइसेंस की सीमा शुल्क प्रयोजन प्रति और मुद्रा विनिमय नियंत्रण प्रति की अनुलिपि प्रति जारी की जानी चाहिए।

लाइसेंस सं० पी०/ए/1877837, दिनांक 3-11-1977 की मूल सीमा शुल्क प्रयोजन प्रति और मुद्रा विनिमय नियंत्रण प्रति रद्द की जाती है।

[स० जे० सी० सी० आई० एण्ड ई०/ए० एन० डी०/एच० ओ० की०/223]

(Department of Foreign Trade)

Office of the Dy. Chief Controller of Imports and Exports

ORDER

Ahmedabad, the 5th June, 1978

S.O. 1794.—M/s. Kunjibhari Roller Four Mills, Post Box No. 7 Godhra-Baroda highway, Godhra has been granted import licence No. P/A/1877837 dated 30-11-77 for Rs. 20,000 (Rs. twenty thousand only) for its Silk/Nylon/polyester Bolting cloth and grit guase steel plated wire cloth chilled cast iron rollers.

They have applied for duplicate custom copy and exchange control copy of said licence for Rs. 20,000 on the ground that the original custom and exchange control copies have been lost/misplaced without having been registered with any custom authority and utilised at all.

In support of their claim applicant has filed an affidavit.

I am satisfied that custom copy and exchange control copy of licence No. P/A/1877837 dated 3-11-77 have been lost and direct that duplicate licence of custom purpose and exchange control copy of said licence should be issued to applicant.

The original custom copy and exchange control copy of licence No. P/A/1877837 dated 30-11-77 is cancelled.

[No. JCCI&E/AHD/HOV/223]

क्र० आ० 1795.—सर्वश्री प्रिंस स्टोर, एडवांस सिनेमा के सामने, भद्रा, अहमदाबाद-380001 को लोण के लिए 10,000 रुपये (दस हजार रुपये मात्र) के लिए आयात लाइसेंस सं० पी०/ई/0294873, दिनांक 4-10-1977 प्रदान किया गया था।

उन्होंने उक्त लाइसेंस की 10,00 रुपये के लिए सीमा शुल्क प्रयोजन प्रति की अनुलिपि प्रति जारी करने के लिए इस आधार पर आवेदन किया है कि मूल सीमा शुल्क प्रयोजन प्रति किसी भी सीमा शुल्क कार्यालय में पंजीकृत कराए बिना और बिल्कुल उपयोग में लाए बिना ही खोई गई/अस्थानस्थ हो गई है।

अपने तर्कों के समर्थन में आवेदक ने एक शपथ-पत्र दाखिल किया है।

मैं संतुष्ट हूँ कि आयात लाइसेंस सं० पी०/ई/0294873, दिनांक 4-10-1977 की सीमा शुल्क प्रयोजन प्रति खो गई है और निवेश देता हूँ कि उक्त लाइसेंस की अनुलिपि प्रति आवेदक को जारी की जानी चाहिए आयात लाइसेंस सं० पी०/ई/0294873, दिनांक 4-10-1977 की मूल सीमा शुल्क प्रयोजन प्रति रद्द की जाती है।

[एफ० सं० 544/ई एल/11035/ए एम 78/बी एफ०/एच एच आई]

S.O. 1795.—M/s. Prince Store, Opp. Advance Cinema, Bhadra, Ahmedabad 380001 has been granted import licence No. P/E/0294873 dt. 4-10-77 for Rs. 10,000 (Rs. ten thousands only) for Cloves.

They have applied for duplicate custom purpose copy of said licence for Rs. 10,000 on the ground that the original custom copy has been lost/misplaced without having been registered with any custom house and utilised at all.

In support of their claim applicant has filed an affidavit.

I am satisfied that custom copy of licence No. P/E/0294873 dt. 4-10-77 has been lost and direct that the duplicate licence

of custom copy of said licence should be issued to the applicant.

The original custom copy of licence No. P/E/0294873 dt. 4-10-77 is cancelled.

[File No. 544/EL/1035/AM78/DF/SSI]

का० आ० 1796.—सर्वेधी प्रिंस स्टोर, एडवन्स सिनेमा के सामने भद्रा, अहमदाबाद-380001 को लीज के लिए 10,000 रुपये (दस हजार रुपए मात्र) के लिए आयात लाइसेंस सं० पी०ई०/0294872, दिनांक 4-10-1977 प्रदान किया गया था।

उन्होंने उक्त लाइसेंस की 10,000 रुपये के लिए सीमा शुल्क प्रयोजन, प्रति की अनुलिपि प्रति जारी करने के लिए इस आधार पर आवेदन किया है कि मूल सीमा शुल्क प्रयोजन प्रति किसी भी सीमा शुल्क कार्यालय में पंजीकृत करण बिना और बिल्कुल उपयोग में लागू बिना खो गई/अस्थानस्थ हो गई है।

अपने तर्क में समर्थन में आवेदक ने एक शपथपत्र दाखिल किया है।

मे सन्तुष्ट हूँ कि आयात लाइसेंस सं० पी०ई०/029 4872, दिनांक 4-10-1977 की सीमा शुल्क प्रयोजन प्रति खो गई है और निदेश देता हूँ कि उक्त लाइसेंस की अनुलिपि प्रति आवेदक को जारी की जानी चाहिए।

आयात लाइसेंस सं० पी०ई०/0294872, दिनांक 4-10-1977 की मूल सीमा शुल्क प्रयोजन प्रति रद्द की जाती है।

[का० सं० 132/5249डी० एफ०/ए० एम० 78/एस० एस० आई०]

एन० सी० दवे, उप मुख्य नियंत्रक

S.O. 1796.—M/s. Prince Department Store, Opp. Advance Cinema Bhadra, Ahmedabad 380001 has been granted import licence No. P/E/0294872 dt. 4-10-77 for Rs. 10,000 (Rs. ten thousand only) for cloves.

They have applied for duplicate custom purpose copy of said licence for Rs. 10,000 on the ground that the original custom copy has been lost/misplaced without having been registered with any custom house and utilised at all.

In support of their claim applicant has filed an affidavit.

I am satisfied that custom copy of licence No. P/E/0294872 dt. 4-10-77 has been lost and direct that the duplicate licence of custom copy of said licence should be issued to the applicant.

The original custom copy of licence No. P/E/0294872 dt. 4-10-77 is cancelled.

[F. No. 132/5249/DF/AM78/SSI]

N. C. DAVE, Dy. Chief Controller

नई दिल्ली, 5 जून, 1978

(इलायची नियंत्रण)

का० आ० 1797.—इलायची नियम, 1966 के नियम 5 के साथ पठित इलायची अधिनियम (1965 का 12) की धारा 1 की उपधारा 3 के खण्ड (ग) के अनुगणन में केन्द्रीय सरकार अधिसूचित करती है कि

डा० एच० आस्टिन तथा श्री रघुनाथ सिंह वर्मा को, जो दोनों लोक सभा के सदस्य हैं, उस सदन द्वारा उक्त अधिनियम की धारा 4 की उपधारा (1) के अन्तर्गत स्थापित इलायची बोर्ड के सदस्यों के रूप में निर्वाचित किया गया है और विनिर्दिष्ट करती है कि उक्त डा० एच० आस्टिन तथा श्री रघुनाथ सिंह वर्मा इस अधिसूचना के राजपत्र में प्रकाशित होने की तारीख से 3 वर्ष की अवधि के लिए या तब तक के लिए जब तक वे लोक सभा के सदस्य बने रहते हैं, जो भी पहले हो, उक्त बोर्ड के सदस्यों के रूप में पद धारण किये रहेंगे।

[का० सं० 32/31/74-प्लांट (बी)]

एस० महादेव अय्यर, उप-निदेशक

New Delhi, the 5th June, 1978

CARDAMOM CONTROL

S.O. 1797.—In pursuance of clause (c) of sub-section (3) of section 4 of the Cardamom Act, 1965 (42 of 1965) read with rule 5 of the Cardamom Rules, 1966, the Central Government hereby notifies that Dr. H. Austin and Shri Raghunath Singh Verma, Members of the House of the People have been elected by that House to be members of the Cardamom Board, established under sub-section (1) of section 4 of the said Act and specifies that the said Dr. H. Austin and Shri Raghunath Singh Verma shall hold Office as members of the said Board with effect from the date of publication of this notification in the Official Gazette for a period of three years or until they cease to be members of the House of the People, whichever is earlier.

[File No. 32/31/74-Plant (B)]

S. MAHADEVA IYER, Dy. Director

नई दिल्ली, 31 मई, 1978

का० आ० 1798.—राष्ट्रीय सहकारी विकास निगम अधिनियम, 1962 (1962 का 26) की धारा 8(1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने राष्ट्रीय सहकारी विकास निगम के परामर्श से मध्यप्रदेश सरकार के सर्वे के भारतीय प्रशासन सेवा के अधिकारी श्री के० जे० एम० भाटिया को 2 मई, 1978 के दोपहर के पहले से आगे और आदेश होने तक के लिये राष्ट्रीय सहकारी विकास निगम के सचिव के पद पर प्रतिनियुक्ति आधार के पर नियुक्त किया है।

[सं० ए-12011/21/78-प्रशा० 1]

New Delhi, the 31st May, 1978

S.O. 1798.—In exercise of the powers conferred by section 8(1) of the National Cooperative Development Corporation Act, 1962 (No. 26 of 1962), the Central Government in consultation with the National Cooperative Development Corporation have appointed Shri K. J. S. Bhatia, an I.A.S. Officer of the cadre of Madhya Pradesh Government as Secretary of National Cooperative Development Corporation, New Delhi with effect from the forenoon of 2nd May, 1978 on deputation basis until further orders.

[No. A-12011/21/78-Estt. I]

का० आ० 1799.—राष्ट्रीय सहकारी विकास निगम अधिनियम, 1962 (1962 का 26) की धारा 8(1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने राष्ट्रीय सहकारी विकास निगम के परामर्श से मध्य प्रदेश सरकार के सर्वे के भारतीय प्रशासन सेवा के अधिकारी श्री के० जे० एम० भाटिया को 2 मई, 1978 के दोपहर के पहले से आगे और आदेश होने तक के लिये राष्ट्रीय सहकारी विकास निगम के सचिव के पद पर प्रतिनियुक्ति आधार पर नियुक्त किया है।

[सं० ए० 12011/21/78 प्रशा० 1]

के० एम० बाजना, अवर सचिव

S.O. 1799—In exercise of the powers conferred by section 8(1) of the National Cooperative Development Corporation Act, 1962 (26 of 1962), the Central Government in consultation with the National Cooperative Development Corporation have appointed Shri K. J. S. Bhatia, an I.A.S. Officer of the cadre of Madhya Pradesh Government as Secretary of National Cooperative Development Corporation, New Delhi with effect from the forenoon of 2nd May, 1978 on deputation basis until further orders.

[No. A. 12011/21/78-Estt. J]
K. S. BAJWA, Under Secy.

वाणिज्य, नागरिक पूर्ति तथा सहकारिता मंत्रालय

(वाणिज्य विभाग)

नई दिल्ली, 8 जून, 1978

(इलायची नियंत्रण)

क्रा.आ. 1800.—केन्द्रीय सरकार, इलायची नियम, 1966 के नियम 3 के उप-नियम (1) और नियम 5 के उप-नियम (2) के साथ पठित इलायची अधिनियम, 1965 (1965 का 42) की धारा 4 की उपधारा (3) के खंड (घ) के उपखंड (i) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, श्रीमती कोमल आनन्द के स्थान पर श्री एस० महादेव अय्यर, उप निदेशक, वाणिज्य मंत्रालय, को नियुक्त करती है और भारत सरकार के वाणिज्य मंत्रालय की अधिसूचना संक्रा.आ. 448(अ), तारीख 26 अगस्त, 1975 में निम्नलिखित संशोधन करती है, अर्थात्—

उक्त अधिसूचना के नीचे की सारणी में क्रमांक (4) के गामने दूसरे स्तम्भ में की प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जायेगी, अर्थात्—

“श्री एस० महादेव अय्यर,
उप निदेशक,
वाणिज्य मंत्रालय,
नई दिल्ली।”

[फाइल सं० 32/20/75-प्लांट (बी)]

गुधरी वर्मा, उप सचिव

MINISTRY OF COMMERCE, CIVIL SUPPLIES AND CO-OPERATION

(Deptt. of Commerce)

New Delhi, the 8th June, 1978

(CARDAMOM CONTROL)

S.O. 1800.—In exercise of the powers conferred by sub-clause (i) of clause (d) of sub-section (3) of Section 4 of the Cardamom Act, 1965 (42 of 1965), read with sub-rule (i) of rule 3 and sub-rule (2) of rule 5 of the Cardamom Rules, 1966, the Central Government hereby appoints Shri S. Mahadeva Iyer, Deputy Director, Ministry of Commerce vice Smt. Komal Anand, and makes the following amendment in the notification of the Government of India in the Ministry of Commerce S.O. 448(E), dated the 26th August, 1975, namely—

In the Table under the said notification, for the entry in the second column, against Serial No. (4), the following entry shall be substituted, namely :—

“Shri S. Mahadeva Iyer, Deputy Director, Ministry of Commerce, New Delhi.”

[File No. 32/20/75-Plant(B)]

SUDHIR VARMA, Dy. Secy.

(नागरिक पूर्ति और सहकारिता विभाग)

नई दिल्ली, 13 जून, 1978

क्रा.आ. 1801.—केन्द्रीय सरकार, अग्रिम सविदा (विनियमन) अधिनियम, 1952 (1952 का 74) की धारा 5 के अधीन ग्रेन, राईस, आयलसीड्स मर्चेंट्स एसोसिएशन बम्बई द्वारा मान्यता के नवीकरण के लिए किए गए आवेदन पर बायदा बाजार आयोग के परामर्श से विचार करके और यह समाधान हो जाने पर कि ऐसा करना व्यापार के हित में और लोक हित में भी होगा, एतद्वारा उक्त अधिनियम की धारा 6 के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त एसोसिएशन को मंगफली की गिरियों की अग्रिम सविदाओं के बारे में 10 अगस्त, 1978 से 9 अगस्त, 1979 तक (जिसमें ये दोनों दिन भी सम्मिलित हैं) की एक वर्ष की अनिश्चित कालावधि के लिए मान्यता प्रदान करती है।

2 एतद्वारा प्रदत्त मान्यता इस शर्त के अधीन है कि उक्त एसोसिएशन ऐसे निदेशों का अनुपालन करेगा जो बायदा बाजार आयोग द्वारा समय समय पर दिए जाएं।

[नि.सं० 12(9)/आई० टी०/78]

बी० श्रीनिवासन, उप सचिव

(Department of Civil Supplies and Cooperation)

New Delhi, the 13th June, 1978

S.O. 1801.—The Central Government, having considered in consultation with the Forward Markets Commission, the application for renewal of recognition made under Section 5 of the Forward Contracts (Regulation) Act, 1952 (74 of 1952), by the Grain, Rice and Oilseeds Merchants' Association Bombay, and being satisfied that it would be in the interest of the trade and also in the public interest so to do, hereby grants, in exercise of the powers conferred by Section 6 of the said Act, recognition to the said Association for a further period of one year from the 10th August, 1978 to the 9th August, 1979 (both days inclusive) in respect of forward contracts in groundnut kernels.

2. The recognition hereby granted is subject to the condition that the said Association shall comply with such direction, as may, from time to time, be given by the Forward Markets Commission.

[F. No. 12(9)-IT/78]

V. SRINIVASAN, Dy. Secy.

पूर्ति और पुनर्वास मंत्रालय

(पुनर्वास विभाग)

नई दिल्ली, 27 मई, 1978

क्रा. आ. 1802.—निष्कात सम्पत्ति प्रशासन अधिनियम, 1950 (1950 का 31) की धारा 55 की उपधारा (3) द्वारा महाअभिरक्षक के रूप में मुझे मौफो गई शक्तियों का प्रयोग करते हुए तथा पूर्ति और पुनर्वास मंत्रालय, (पुनर्वास विभाग) की अधिसूचना संख्या 1(30)/वि० सेल/75-एस० एस०-2 दिनांक 20 मार्च, 1978 का अधिकरण करने हुए मैं इसके द्वारा इस विभाग की अधिसूचना संख्या 1(30)/विशेषसेल/75-एस० एस०-2 दिनांक 27 मई, 1978 द्वारा राजस्थान,

राज्य के लिए नियुक्त उप महाप्रभिरक्षक की श्री आर० बी० सोलंके को महाप्रभिरक्षक को निम्न शक्तियाँ सौंपता है :—

- (1) अधिनियम की धारा 24 और 27 के अधीन शक्तियाँ।
- (2) अधिनियम की धारा 10(2)(0) के अधीन किन्हीं भी सम्पत्ति के हस्तान्तरण के अनुमोदन की शक्तियाँ।
- (3) निष्क्रान्त सम्पत्ति (केन्द्रीय) नियमावली, 1950 के निवम 30-ए के अधीन मामलों के हस्तान्तरण की शक्तियाँ।

[संख्या 1(30)/विशेष मेल/75-एस०एस-2]

राजेश मिश्र, महाप्रभिरक्षक

MINISTRY OF SUPPLY & REHABILITATION

(Department of Rehabilitation)

New Delhi, the 27th May, 1978

S.O. 1802.—In exercise of the powers conferred on me as Custodian General by sub-Section (3) of Section 55 of the Administration of Evacuee Property Act, 1950 (31 of 1950) and in supersession of the Government of India in the Ministry of Supply & Rehabilitation (Department of Rehabilitation) New Delhi Notification No. 1(30)/Spl. Cell/75-SS-II dated the 20th March, 1978, I hereby delegate to Shri R. V. Sontake, Deputy Custodian General for the State of Rajasthan, appointed vide this Department's Notification No. 1(30)/Spl. Cell/75-SS-II dated the 27th May, 1978, the following powers of the Custodian General :—

- (i) Powers under sections 24 and 27 of the Act.
- (ii) Powers of approval of transfer of any of evacuee property under Section 10(2)(o) of the Act.
- (iii) Powers of transfer of cases under Rule 30-A of the Administration of Evacuee Property (Central) Rules, 1950.

[No. 1(30)/Spl. Cell/75-SS-II]

GANESH MISRA, Custodian General.

नई दिल्ली, 30 मई, 1978

क्र० आ० 1803.—निष्क्रान्त भित्त (प्रयत्नकरण) अधिनियम, 1951 (1951 का 64) की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा भारत सरकार, निर्माण, आवास पूर्ति और पुनर्वासि मंत्रालय (पुनर्वासि विभाग) की अधिसूचना संख्या 32013(1)/75-ए० जी० जेड० एस० डब्ल्यू०, दिनांक 23 मई, 1977 का अधिकरण करते हुए, केन्द्रीय सरकार इसके द्वारा सेवा निवृत्त बन्दोबस्त आयुक्त श्री ए० जी० बासवानी को उक्त अधिनियम के अधीन सौंपे गये शक्तियों का प्रयोग करते तथा कार्यों को करने के लिए सघ शासित क्षेत्र दिल्ली के लिए सक्षम अधिकारी के रूप में नियुक्त करती है।

[सं० 14(6)/77-एस०एम०-2]

New Delhi, the 30th May, 1978

S.O. 1803.—In exercise of the powers conferred by sub-Section (1) of Section 4 of the Evacuee Interest (Separation) Act, 1951 (LXIV of 1951), and in supersession of Government of India in the Ministry of Works, Housing, Supply and Rehabilitation (Department of Rehabilitation) Notification No. 32013(1)/75-AGZ/SW dated the 23rd May, 1977, the Central Government hereby appoints Shri A. G. Vaswani, Retired Settlement Commissioner, as Competent Officer for the Union Territory of Delhi for the purpose of performing the functions and exercising the powers assigned to him under the said Act.

[No. 14(6)/77-SS, II]

(बन्दोबस्त विंग)

नई दिल्ली, 19 मई, 1978

क्र०आ० 1804.—निष्क्रान्त सम्पत्ति प्रशासन अधिनियम, 1950 (1950 का 31) की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार इसके द्वारा इस विभाग के बन्दोबस्त विंग के बन्दोबस्त अधिकारी श्री प्रीतम सिंह को, उस राज्य के लिए जिनमें कि उक्त अधिनियम लागू होता है, उक्त अधिनियम के अधीन या इसके द्वारा, उप अधिरक्षक को सौंपे गए कार्यों को निष्पादित करने के लिए तत्काल प्रभाव से, उप अधिरक्षक के रूप में नियुक्त करती है।

[सं० ए० 36016(1)/75-ए० (जी जेड)/बन्दोबस्त विंग/76]

वीना नाथ असीजा, संयुक्त निदेशक

(Settlement Wing)

New Delhi, the 19th May, 1978

S.O. 1804.—In exercise of the powers conferred by Sub-Section (1) of Section 6 of the Administration of Evacuee Property Act, 1950 (XXXI of 1950) the Central Government hereby appoints Shri Pritam Singh, Settlement Officer in the Settlement Wing of this Department as Deputy Custodian of Evacuee Property for the States to which the aforesaid Act applies for the purpose of discharging the duties imposed on such Deputy Custodian by or under the said Act with immediate effect.

[No. A-36016(1)/75-Ad(GZ)/SW/76]

D. N. ASIJA, Jt. Director

ऊर्जा मंत्रालय

(कोयला विभाग)

नई दिल्ली, 27 मई, 1978

क्र०आ० 1805.—कोकर कोयला खान (राष्ट्रीयकरण) अधिनियम, 1972 (1972 का 36) की धारा 20 की उपधारा (2) के अधीन प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार, एतद्वारा 15 मार्च, 1978 के पूर्वाह्न से श्री राम चीश राम को सहायक भुगतान आयुक्त नियुक्त करती है।

[सं० 11024/5/78-सी०ए०]

जी० बी० जी० रामन, उप सचिव

MINISTRY OF ENERGY

(Department of Coal)

New Delhi, the 27th May, 1978

S.O. 1805.—In exercise of the powers conferred under Sub-Section (2) of Section 20 of the Coking Coal Mines (Nationalisation) Act, 1972 (36 of 1972), the Central Government hereby appoints Shri Ram Cheez Ram, as Assistant Commissioner of Payments with effect from the forenoon of the 15th March, 1978.

[No. 11024/5/78-CA]

G. V. G. RAMAN, Dy. Secy.

कृषि और सिंचाई मंत्रालय

(कृषि विभाग)

नई दिल्ली, 18 मई, 1978

कां.भा. 1806.—पशुधन आयात अधिनियम, 1898 (1898 का अधिनियम 9) के खण्ड 2 की धारा (क) के अनुसरण में केन्द्रीय सरकार एतद्वारा निम्नलिखित रोग अथवा विकार को उक्त अधिनियम के प्रयोजन के लिए संक्रामक या छूत के रोग घोषित करती है:—

पशुधन के “जीभ नीला रोग”

(ब्लू टंग)

[सं. 53-18/77 एल.डी.टी.एल.एच. (ए.क्यू.)]

MINISTRY OF AGRICULTURE & IRRIGATION

(Department of Agriculture)

New Delhi, the 18th May, 1978

S.O. 1806.—In pursuance of clause (a) of Section 2 of the Livestock Importation Act, 1898 (Act IX of 1898), the Central Government hereby specifies the following disease to be infectious or contagious disorder for the purpose of the said Act, namely:—

Blue tongue disease of cattle.

[No. 53-18/77-LDT(LH-AQ)]

कां.भा. 1807.—पशुधन आयात अधिनियम, 1898 (1898 का अधिनियम 9) के खण्ड 3, उप खंड (i) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा जीभ के नीला होने के रोग से प्रभावित किसी भी पशु तथा दाने, चारे, गोबर, घुड़ शाल के कूड़ा-करकट, कपड़े, भस्म-सज्जा अथवा पशुधन से संबंधित या उनके सम्पर्क में रखे गए घुड़ जुड़नार के भारत में आयात पर प्रतिबंध लगाती है।

[सं. 53-18/77-एल.डी.टी.एल.एच. (ए.क्यू.)]

बी.बी. कपूर, उप सचिव

S.O. 1807.—In exercise of the powers conferred by Sub-Section (i) of the Section 3 of Livestock Importation Act 1898 (Act IX of 1898), the Central Government hereby prohibits the import into India of any cattle affected by Blue tongue disease and of any fodder, dung, stable litter, clothing, harness or fitting appertaining to livestock or that may have been in contact therewith.

[No. 53-18/77-LDT(LH-AQ)]

B. B. KAPOOR, Dy. Secy.

निर्माण और आवास मंत्रालय

नई दिल्ली, 8 जून, 1978

कां.भा. 1808.—नगर भूमि (अधिकतम सीमा तथा विनियमन) अधिनियम, 1976 (1976 का 33) की धारा 2 के खण्ड (ग) के उपखण्ड के साथ पठित उसके खण्ड (घ) के अनुसरण में केन्द्रीय सरकार इसके साथ उपाखण्ड अनुसूची के कालम 1 में उल्लिखित व्यक्तियों को उक्त अधिनियम के प्रावधानों के अन्तर्गत ऐसे कार्यों के लिये जो उक्त अनुसूची के कालम (3) में तदनुकूली प्रविष्टि में दिए गए हैं, सक्षम अधिकारी के रूप में ऐसे क्षेत्रों के लिये प्राधिकृत करती है जो छावनी अधिनियम, 1974 (1974 का 2) की धारा 3 के अन्तर्गत छावनी की स्थानीय सीमा क्षेत्र के अन्तर्गत घोषित किए गए हैं।

अनुसूची

व्यक्ति	छावनी के अन्तर्गत क्षेत्र जिसके लिए सक्षम प्राधिकारी नियुक्त किये गये हैं	अधिनियम के वे उपखण्ड, जिसके अन्तर्गत उसे सक्षम प्राधिकारी के कार्य करने हैं
1	2	3
(i) सेना सम्पदा अधिकारी जालन्धर परिमंडल, जालन्धर छावनी	जालन्धर छावनी की स्थानीय सीमाओं के अन्तर्गत इतना क्षेत्र जो जालन्धर नगर समूह क्षेत्र की परिधि में आता है	अध्याय—III/ अध्याय IV की धारा 26 तथा 27.
(ii) कार्यकारी अधिकारी छावनी बोर्ड, जालन्धर छावनी	जालन्धर छावनी की स्थानीय सीमाओं के अन्तर्गत इतना क्षेत्र जो जालन्धर नगर समूह क्षेत्र की परिधि में आता है	अध्याय IV की धारा 30

1	2	3
(iii) सेना सम्पदा अधिकारी, राजस्थान परिमंडल, जयपुर	अजमेर छावनी की स्थानीय सीमाओं के अन्तर्गत पूर्ण क्षेत्र	अध्याय—III/ अध्याय—IV की धारा 26 तथा 27.
(iv) कार्यकारी अधिकारी, छावनी बोर्ड अजमेर छावनी	अजमेर छावनी की स्थानीय सीमाओं के अन्तर्गत समस्त क्षेत्र	अध्याय—IV की धारा 30
(v) सेवा सम्पदा अधिकारी, बिहार परिमंडल, दीनापुर छावनी	दीनापुर छावनी की स्थानीय सीमाओं के अन्तर्गत समस्त क्षेत्र	अध्याय—III/ अध्याय IV की धारा 26 तथा 27.
(vi) कार्यकारी अधिकारी, छावनी बोर्ड, दीनापुर, छावनी	दीनापुर छावनी की स्थानीय सीमाओं के अन्तर्गत समस्त क्षेत्र	अध्याय IV की धारा 30
(vii) सेना सम्पदा अधिकारी (नगर भूमि अधिकतम सीमा) आगरा	मोरार छावनी की स्थानीय सीमाओं के भीतर समस्त क्षेत्र	अध्याय III/ अध्याय I / 26 तथा 27
(viii) कार्यकारी अधिकारी, छावनी बोर्ड, मोरार	मोरार छावनी की स्थानीय सीमाओं के भीतर समस्त क्षेत्र	अध्याय IV की धारा 30.

[एफ० सं० 12/2/77-यू०सी०यू०]
एस० महादेव अय्यर, उप सचिव

MINISTRY OF WORKS AND HOUSING

New Delhi, the 8th June, 1978

S.O. 1898.—In pursuance of the provisions contained in clause (d) of section 2 of the Urban Land (Ceiling and Regulation) Act, 1976 (33 of 1976), read with clause (K) of that section, the Central Government hereby authorises the persons mentioned in column (1) of the Schedule hereto annexed to perform the functions of the competent authority under the provisions of the said Act specified in the corresponding entry in column (3) of the said Schedule, for the areas within the local limits of the cantonments, declared as such under section 3 of the Cantonments Act, 1924 (2 of 1924), specified in the Corresponding entry in column (2) thereof.

SCHEDULE

Person	Areas within Cantonments for which the person is appointed competent authority	Provisions of the Act under which he is to perform the functions of the competent authority
1	2	3
(i) Military Estate Officer, Jullundur Circle, Jullundur Cantonment.	So much of the area within the local limits of the Cantonment of Jullundur as falls within the peripheral area of Jullundur Urban Agglomeration.	Chapter III and Sections 26 and 27 of Chapter IV.
(ii) Executive Officer, Cantonment Board, Jullundur Cantonment.	So much of the area within the local limits of the Cantonment of Jullundur as falls within the peripheral area of Jullundur Urban Agglomeration.	Section 30 of Chapter IV
(iii) Military Estate Officer, Rajasthan Circle, Jaipur.	Entire area within the local limits of the Cantonment of Ajmer.	Chapter III and sections 26 and 27 of Chapter IV.
(iv) Executive Officer, Cantonment Board, Ajmer Cantonment.	Entire area within the local limits of the Cantonment of Ajmer.	Section 30 of Chapter IV.
(v) Military Estate Officer, Bihar Circle, Dinapore Cantonment.	Entire area within the local limits of the Cantonment of Dinapore.	Chapter III and sections 26 and 27 of Chapter IV.
(vi) Executive Officer, Cantonment Board, Dinapore Cantonment.	Entire area within the local limits of the Cantonment of Dinapore.	Section 30 of Chapter IV.
(vii) Military Estate Officer (Urban Land Ceiling), Agra.	Entire area within the Local limits of the Cantonment of Morar.	Chapter III and sections 26 and 27 of Chapter IV.
(viii) Executive Officer, Cantonment Board, Morar.	Entire area within the local limits of the Cantonment of Morar.	Section 30 of Chapter IV.

[F. No. 12/2/77-UCU]

S. MAHADEVA AYYAR, Dy. Secy.

स्वास्थ्य और परिवार कल्याण मंत्रालय

(स्वास्थ्य विभाग)

आदेश

नई दिल्ली, 15 जून, 1978

कां०आ० 1809.—यतः भारत सरकार के भूतपूर्व स्वास्थ्य मंत्रालय की 4 जून, 1964 की अधिसूचना सं० एफ 16-22/63 एम 1/एम पी टी द्वारा केन्द्रीय सरकार ने निदेश दिया है कि भारतीय चिकित्सा परिषद् अधिनियम, 1956 (1956 का 102) के प्रयोजनों के लिए वाशिंगटन यूनिवर्सिटी, यू०एस०ए० द्वारा प्रदत्त "एम०बी०" चिकित्सा प्रहता मान्य चिकित्सा प्रहता होगी;

और यतः डा० टी०सी० फियरबैंड जिनके पास उक्त प्रहता है वैधिक अनुसंधान और धर्मार्थ कार्य के प्रयोजनों के लिए फिलहाल क्रिश्चियन मेडिकल कॉलेज तथा ब्राउन मेमोरियल अस्पताल, लुधियाना के साथ सम्बद्ध है;

अतः, अब, उक्त अधिनियम की धारा 14 की उपधारा (1) के परन्तुक के भाग (ग) का पालन करते हुए केन्द्रीय सरकार एतद्वारा —

(1) सरकारी राजपत्र में प्रकाशित होने की तिथि से दो वर्ष की, अवधि

(2) उस अवधि की जब तक डा० टी०सी० फियरबैंड क्रिश्चियन मेडिकल कॉलेज तथा ब्राउन मेमोरियल अस्पताल, लुधियाना के साथ सम्बद्ध रहते हैं, जो भी कम हो वह अवधि विनिश्चित करती है, जिसमें पूर्वोक्त डा० मेडिकल प्रैक्टिस कर सकेंगे।

[सं० वी० 11016/8/78-एम ई (पी)]

MINISTRY OF HEALTH AND FAMILY WELFARE

(Department of Health)

ORDER

New Delhi, the 15th June, 1978

S.O. 1809.—Whereas by the notification of the Government of India in the late Ministry of Health No. F. 16-22/63-MI/MPD dated the 4th June, 1964, the Central Government has directed that the Medical qualification, "M. D." awarded by the Washington University, U.S.A., shall be recognised medical qualification for the purposes of the Indian Medical Council Act, 1956 (102 of 1956);

And whereas Dr. T. C. Fierabend who possesses the said qualification is for the time-being attached to the Christian Medical College and Brown Memorial Hospital, Ludhiana, for the purposes of teaching, research and charitable work.

Now, therefore, in pursuance of clause (c) of the proviso to sub-section (i) of section 14 of the said Act, the Central Government hereby specifies :—

- (i) a further period of two years from the date of publication of this order in the Official Gazette, or
- (ii) the period during which Dr. T. C. Fierabend is attached to the said Christian Medical College and Brown Memorial Hospital, Ludhiana.

whichever is shorter, as the period to which the medical practice by the aforesaid doctor shall be limited.

[No. V. 11016/8/78-M.E.(Policy)]

कां०आ० 1810.—भारतीय चिकित्सा परिषद् अधिनियम, 1956 (1956 का 102) की धारा 14 की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार भारतीय चिकित्सा परिषद् से परामर्श लेने के पश्चात् एतद्वारा निदेश करती है कि उक्त अधिनियम के प्रयोजनों के लिए "एम०बी०बी०एस० (यूनिवर्सिटी आफ मरबर्ग), पश्चिमी जर्मनी", की चिकित्सा प्रहता मान्य चिकित्सा प्रहता होगी।

[संख्या वी० 11016/14/78 एम०ई०(पी)]

आर० वी० श्रीनिवासन, उप सचिव

S.O. 1810.—In exercise of the powers conferred by sub-section (1) of Section 14 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consultation with the Medical Council of India, hereby directs that the Medical Qualification "M.B.B.S. (University of Marburg), West Germany", shall be a recognised medical qualification for the purposes of that Act.

[No. V. 11016/14/78-M. E. (P)]

R. V. SRINIVASAN, Dy. Secy.

पेट्रोलियम, रसायन और उर्वरक मंत्रालय

(पेट्रोलियम विभाग)

शुद्धी-पत्र

नई दिल्ली, 5 जून, 1978

कां०आ० 1811—भारत सरकार के राजपत्र भाग (ii) खंड 3 उप-खंड (ii) दिनांक 3 मार्च 1978 की पृष्ठ संख्या 288 पर कां०आ० संख्या 149 (ई) के अंतर्गत प्रकाशित भारत सरकार, पेट्रोलियम रसायन और उर्वरक मंत्रालय की अधिसूचना संख्या 12020/7/77 प्रोडक्शन, दिनांक 3 मार्च 1978 के अधीन गाँव शेवा तालुका ऊरण, जिला कुलाबा के अंतर्गत निम्नलिखित अनुसूची के स्थान पर नीचे दी गई अनुसूची को पढ़ें।

पढ़ें	के लिये		
सर्वेक्षण नम्बर	हेक्टेयर	एअरई	सेंटेयर
182/6 से 11+17+18+19ए+19बी+13बी+15बी+19	0	18	0
2 ए			
+19			
2बी			
182/2 से 5+12+14+16+1बी+1सी+1+13+	0	20	0
2ए			
15ए+19ए+19बी 1			
185/16	0	00	5
10/15	0	06	0
119/3	0	04	0
120/1 (गर्ट)	0	20	0
120/1 (गर्ट)	1	29	0
182/6 से 11+17+16+19ए+19बी+13बी+15बी+19+19	0	18	0
183/2 से 5+12+14+16+1बी+	0	20	0
19ए+19बी-1			
187ए/16	0	00	5
11/15	0	06	0
110/3	0	04	0
120/1ए	0	20	0
120/1बी	1	29	0

[मिसिल सं० 12020/7/77 प्रोडक्शन]

एस० एम० वाई नदीम, अवर सचिव

MINISTRY OF PETROLEUM, CHEMICALS AND

FERTILISER

(Department of Petroleum)

ERRATUM

New Delhi, the 5th June, 1978

S.O. 1811.—In the notification of Government of India in India in the Ministry of Petroleum, Chemicals and Fertilizer No. 12020/7/77-Prod. dated 3rd March, 1978, under S.O. No. 149(E) in the Gazette of Government of India, Part II section 3 sub-section (ii) dated 3rd March, 1978, Page No. 286, Village Shewa, Taluka-Uran, District-Kulaba.

Read				For			
Survey No.	Hec-tare	Are	Cen-tiare	Survey No.	Hec-tare	Are	Cen-tiare
182/6 to 11+17+18+19A+19D+ 13B+15B+19+19 2A 2B	0	18	0	182/6 to 11+17+18+19A+19D+ 13B+15B+19+19.	0	18	0
182/2 to 5+12+14+16+1B+1C+ 1+13+15A+19A+19B-1. 2A	0	20	0	183/2 to 5+12+14+16+1B+1C+ 1+13+15A+19A+19B-1. 2A	0	20	0
185/16	0	00	5	187A/16	0	00	5
10/15	0	06	0	11/15	0	06	0
119/3	0	04	0	110/3	0	04	0
120/1 (Part)	0	20	0	120/1A	0	20	0
120/1 (Part)	1	29	0	120/1B	1	29	0

[File No. 12020/7/77-Prod.]

S. M. Y. NADEEM, Under Secy.

नई दिल्ली, 7 जून, 1978

कांभां. 1812.—भारत सरकार की अधिसूचना के द्वारा जैसा कि यहाँ संलग्न अनुसूची में प्रदर्शित किया गया है और पेट्रोलियम और खनिज पार्श्व लाइन (प्रयोगकर्ता के भूमि अधिग्रहण अधिकार) अधिनियम, 1962 के खंड 6 के उपखंड (1) के अन्तर्गत प्रकाशित किया गया गुजरात राज्य के नवागम तेल क्षेत्र में उक्त परिशिष्ट भूमि में वेधान स्थल सं० फ्लेयर पोइन्ट से डब्ल्यू.एन.आई. धोलका-10 तक पेट्रोलियम के लिए भूमि उपयोग के अधिकार प्राप्त किए गए हैं।

तेल एवं प्राकृतिक गैस आयोग ने उपर्युक्त नियम के खंड 7 के उपखंड (1) की धारा (1) में निविष्ट कार्य दिनांक 8-4-75 से समाप्त कर दिया गया है।

अतः अब पेट्रोलियम पार्श्व लाइन के नियम (प्रयोगकर्ता के भूमि अधिग्रहण अधिकार) नियम, 1963 के अन्तर्गत सक्षम प्राधिकारी एतद्द्वारा उक्त तिथि को कार्य समाप्ति की तिथि अधिसूचित करते हैं।

अनुसूची

फ्लेयर पोइन्ट से डब्ल्यू.एन.आई. धोलका-10 तक पार्श्व लाइन कार्य की समाप्ति

मन्त्रालय का नाम	गाँव	कांभां.सं०	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम रसायन और उर्वरक	खोटा	3917	17-12-77	8-4-75

[सं० 12018/5/78-प्रो०-1]

New Delhi, the 7th June, 1978

S.O. 1812.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum & Minerals Pipelines (Acquisition of Right of user in land) Act, 1962 the right of user has been acquired in the lands specified in the schedule appended thereto for the transport of petroleum from d.s. Flare Point to W.H.I. at Dholka-10 in Nawagam oil field in Gujarat State.

And whereas the Oil & Natural Gas Commission has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 8-4-1975.

Now therefore under Rule 4 of the Petroleum Pipelines (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

Termination of Operation of Pipeline from D.S. Flare Point to W.H I. at Dholka-10.

Name of Ministry	Village	S.O.No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum, Chemicals & Fertilizer	VAUTHA	3917	17-12-77	8-4-75

(No. 12016/5/78-Prod.-I)

कां०आ० 1813.—भारत सरकार की अधिसूचना के द्वारा जैसा कि यहाँ संलग्न अनुसूची में प्रवर्णित किया गया है और पेट्रोलियम पाइप लाइन (प्रयोगकर्ता के भूमि अधिग्रहण अधिकार) अधिनियम, 1962 के खंड 6 के उपखंड (1) के अन्तर्गत प्रकाशित किया गया है, गुजरात राज्य के अंकलेश्वर तेल क्षेत्र में उक्त परिशिष्ट भूमि में वेधान स्थल सं० 203 (अंक-5) से जी जी एस-6 तक पेट्रोलियम के लिए भूमि उपयोग के अधिकार प्राप्त किए गए हैं।

तेल एवं प्राकृतिक गैस आयोग ने उपर्युक्त नियम के खंड 7 के उपखंड (1) की धारा (i) में निविष्ट कार्य दिनांक 28-2-77 से समाप्त कर दिया गया है।

अतः अब पेट्रोलियम पाइप लाइन के नियम 4 (प्रयोगकर्ता के भूमि अधिग्रहण अधिकार) नियम, 1963 के अन्तर्गत सक्षम प्राधिकारी एतद्-द्वारा उक्त तिथि को कार्य समाप्ति की तिथि अधिसूचित करते हैं :

अनुसूची

203 (अंक-5) से जी जी एस-6 तक पाइप लाइन कार्य की समाप्ति

मंत्रालय का नाम	गाँव	कां०आ० सं०	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम	घडोल	3546	19-11-77	28-2-77

[सं० 12016/5/78-प्रो०-II]

S.O. 1813.—Whereas by the notification of Government of India as shown in the schedule appended hereto and issued under sub-section (i) of section 6 of the Petroleum Pipelines (Acquisition of Right of User in land) Act, 1962, the Right of User has been acquired in the lands specified in the schedule appended thereto for the transport of petroleum from d.s. No. 203 (Ank-V) to GGS-6 in Ankleshwar oil field in Gujarat State.

And whereas the Oil & Natural Gas Commission has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 28-2-1977.

Now therefore under Rule 4 of the Petroleum Pipelines (Acquisition of Right of User in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

Termination of Operation of Pipeline from D.S. 203 (Ank-V) to GGS-6

Name of Ministry	Villages	S.O.No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum	Adol	3546	19-11-77	28-2-77

[No. 12016/5/78-Prod.-II]

कां०आ० 1814.—भारत सरकार की अधिसूचना के द्वारा जैसा कि यहाँ संलग्न अनुसूची में प्रवर्णित किया गया है और पेट्रोलियम और खनिज पाइप लाइन (प्रयोगकर्ता के भूमि अधिग्रहण अधिकार) अधिनियम, 1962 के खंड 6 के उपखंड (1) के अन्तर्गत प्रकाशित किया गया गुजरात राज्य के अंकलेश्वर तेल क्षेत्र में उक्त परिशिष्ट भूमि में वेधान स्थल सं० 206 से जी जी एस-6 तक पेट्रोलियम के लिए भूमि उपयोग के अधिकार प्राप्त किए गए हैं।

तेल एवं प्राकृतिक गैस आयोग ने उपर्युक्त नियम के खंड 7 के उपखंड (1) की धारा (i) में निविष्ट कार्य दिनांक 26-2-77 से समाप्त कर दिया है।

अतः अब पेट्रोलियम पाइप लाइन के नियम (प्रयोगकर्ता के भूमि अधिग्रहण अधिकार) नियम, 1963 के अन्तर्गत सक्षम प्राधिकारी एतद्-द्वारा उक्त तिथि को कार्य समाप्ति की तिथि अधिसूचित करते हैं।

अनुसूची 1

206 से जी जी एस-6 तक पाइप लाइन कार्य की समाप्ति

मंत्रालय का नाम	गाँव	कां०आ० सं०	भारत के राजपत्र में प्रकाशन की तिथि	कार्य समाप्ति की तिथि
पेट्रोलियम रसायन और उर्वरक	घडोल	528	25-2-78	26-2-77

[सं० 12016/5/78-प्रो०-3]

जी० के० दुवाणी, गुजरात के लिए नियमान्तर्गत सक्षम प्राधिकारी

S.O. 1814.—Whereas by the notification of Government of India as shown in schedule appended hereto and issued under sub-section (1) of section 6 of the Petroleum & Minerals Pipelines (Acquisition of Right of user in land) Act, 1962 the right of user has been acquired in the lands specified in the schedule appended thereto for the transport of petroleum from d.s. 206 to GGS VI in Ankleshwar oil field in Gujarat State.

And whereas the Oil & Natural Gas Commission has terminated the operations referred to in clause (i) of sub-section (1) of section 7 of the said Act on 26-2-1977.

Now, therefore, under Rule 4 of the Petroleum Pipelines (Acquisition of right of user in land) Rules, 1963, the Competent Authority hereby notifies the said date as the date of termination of operation to above.

SCHEDULE

Termination of Operation of Pipeline From D.S. 206 to GGS VI

Name of Ministry	Villages	S. O. No.	Date of publication in the Gazette of India	Date of termination of operation
Petroleum, Chemicals & Fertilizer	Adol	526	25-2-78	26-2-77

[No. 12016/5/78-Prod.-III]

G. K. DUDANI, Competent Authority Under the Act for Gujarat.

सूचना और प्रसारण मंत्रालय

आदेश

नई दिल्ली, दिनांक 6 जून, 1978

क्रा० अ० 1815.—भारत सरकार के सूचना और प्रसारण मंत्रालय के आदेश संख्या एस०ओ० 3792, दिनांक 2 दिसम्बर, 1966 की प्रथम अनुसूची में निर्धारित प्रत्येक अधिनियम के उपबन्ध के अन्तर्गत जारी किए गए निदेशों के अनुसार, केन्द्रीय सरकार, फिल्म सलाहकार बोर्ड, बम्बई की सिफारिशों पर विचार करने के बाद एस०ओ० द्वारा, इसके साथ लगी अनुसूची के कालम 2 में दी गई फिल्मों को उनके सभी भारतीय भाषाओं के रूपांतरों सहित, जिनका विवरण प्रत्येक के सामने उक्त अनुसूची के कालम 6 में दिया हुआ है, स्वीकृत करती है।

अनुसूची

क्रम सं०	फिल्म का नाम	फिल्म की लम्बाई (मीटरों में)	आवेदक का नाम	निर्माता का नाम	क्या वैज्ञानिक फिल्म है या शिक्षा संबंधी फिल्म है या समाचार और सामयिक घटनाओं की फिल्म है या डाकुमेंट्री फिल्म है
1	2	3	4	5	6
1.	भारतीय समाचार चित्र संख्या 1,526	245.00	फिल्म प्रभाग, 24, पैडर रोड, बम्बई-26		"समाचार और सामयिक घटनाओं की" फिल्म।
2.	भारतीय समाचार चित्र संख्या 1,526 (उत्तरी संस्करण)	298.00	—तद्वैव—		"समाचार और सामयिक घटनाओं" की फिल्म (उत्तरी सॉफ्ट में प्रदर्शन के लिए)।
3.	भारतीय समाचार चित्र संख्या 1,526	244.00	—तद्वैव—		"समाचार और सामयिक घटनाओं" की फिल्म।
4.	भारतीय समाचार चित्र संख्या 1,527 (पूर्वी संस्करण)	293.00	—तद्वैव—		"समाचार और सामयिक घटनाओं" की फिल्म (पूर्वी सॉफ्ट में प्रदर्शन के लिए)।
5.	भारतीय समाचार चित्र संख्या 1,528	250.00	—तद्वैव—		"समाचार और सामयिक घटनाओं" की फिल्म।
6.	भारतीय समाचार चित्र संख्या 1,528 (दक्षिण संस्करण)	302.00	—तद्वैव—		"समाचार और सामयिक घटनाओं" की फिल्म (दक्षिण सॉफ्ट में प्रदर्शन के लिए)।
7.	भारतीय समाचार चित्र संख्या 1,529	298.00	—तद्वैव—		"समाचार और सामयिक घटनाओं" की फिल्म।
8.	भारतीय समाचार चित्र संख्या 1,530	237.00	—तद्वैव—		"समाचार और सामयिक घटनाओं" की फिल्म।
9.	भारतीय समाचार चित्र संख्या 1,530 (पश्चिमी संस्करण)	302.00	—तद्वैव—		"समाचार और सामयिक घटनाओं" की फिल्म (पश्चिमी सॉफ्ट में प्रदर्शन के लिए)।
10.	भारतीय समाचार चित्र संख्या 1,531	242.00	—तद्वैव—		"समाचार और सामयिक घटनाओं" की फिल्म।
11.	भारतीय समाचार चित्र संख्या 1,531 (उत्तरी संस्करण)	301.00	—तद्वैव—		"समाचार और सामयिक घटनाओं" की फिल्म (उत्तरी सॉफ्ट में प्रदर्शन के लिए)।
12.	भारतीय समाचार चित्र संख्या 1,532	223.00	—तद्वैव—		"समाचार और सामयिक घटनाओं" की फिल्म।
13.	भारतीय समाचार चित्र संख्या 1,532 (पूर्वी संस्करण)	302.00	—तद्वैव—		"समाचार और सामयिक घटनाओं" की फिल्म (पूर्वी सॉफ्ट में प्रदर्शन के लिए)।

1	2	3	4	5	6
14.	भारतीय समाचार चित्र संख्या 1,533	235.00	फिल्म प्रभाग 24, पैडर रोड, बम्बई-26		“समाचार और सामयिक घटनाओं” की फिल्म।
15.	भारतीय समाचार चित्र संख्या 1,533 (दक्षिण संस्करण)	299.00	-तदैव-		“समाचार और सामयिक घटनाओं” की फिल्म (दक्षिण सर्किट में प्रदर्शन के लिए)।
16.	भारतीय समाचार चित्र संख्या 1,534 (पश्चिमी संस्करण)	301.00	-तदैव-		“समाचार और सामयिक घटनाओं” की फिल्म (पश्चिमी क्षेत्र में प्रदर्शन के लिए)।
17.	भारतीय समाचार चित्र संख्या 1,534	243.00	-तदैव-		“समाचार और सामयिक घटनाओं” की फिल्म
18.	भारतीय समाचार चित्र संख्या 1,535	221.00	-तदैव-		-तदैव-
19.	भारतीय समाचार चित्र संख्या 1,535 (उत्तरी संस्करण)	287.00	-तदैव-		“समाचार और सामयिक घटनाओं” की फिल्म (उत्तरी सर्किट में प्रदर्शन के लिए)।
20.	भारतीय समाचार चित्र संख्या 1,536	226.00	-तदैव-		“समाचार और सामयिक घटनाओं” की फिल्म (सामान्य रिलीज के लिए)।
21.	भारतीय समाचार चित्र संख्या 1,536 (पूर्वी संस्करण)	302.00	-तदैव-		“समाचार और सामयिक घटनाओं” की फिल्म (पूर्वी सर्किट में प्रदर्शन के लिए)।
22.	भारतीय समाचार चित्र संख्या 1,538	211.00	-तदैव-		“समाचार और सामयिक घटनाओं” की फिल्म।
23.	भारतीय समाचार चित्र संख्या 1,538 (पश्चिमी संस्करण)	303.00	-तदैव-		“समाचार और सामयिक घटनाओं” की फिल्म (पश्चिमी क्षेत्र में प्रदर्शन के लिए)।
24.	महिती चित्र संख्या 270	259.08	धनराज महुल, प्राइड पलोड, गुजरात सरकार, छत्तपति शिवाजी मार्ग, बम्बई-39		“समाचार और सामयिक घटनाओं” की फिल्म (गुजरात सर्किट में प्रदर्शन के लिए)।
25.	ए न्यू ईयर आफ गुडविल	554.00	फिल्म प्रभाग, 24, पैडर रोड, बम्बई-26		“डाकुमेंट्री” फिल्म।
26.	फार्मर्स फ्रेंड स्टेट फार्मस	406.00	-तदैव-		“डाकुमेंट्री” फिल्म (ग्रामीण और घरेलू-शहरी क्षेत्रों में प्रदर्शन के लिए)।
27.	एग्री एक्सपो 77	392.00	-तदैव-		“डाकुमेंट्री” फिल्म।
28.	महिती चित्र संख्या 271	274.32	गुजरात सरकार, धनराज महुल, प्राइड पलोड, छत्तपति शिवाजी मार्ग, बम्बई-39		“समाचार और सामयिक घटनाओं” की फिल्म (गुजरात सर्किट में प्रदर्शन के लिए)।
29.	उत्तर प्रदेश समाचार संख्या 43	260.90	सूचना और जनसम्पर्क निदेशालय, उत्तर प्रदेश, लखनऊ।		“समाचार और सामयिक घटनाओं” की फिल्म (उत्तर प्रदेश सर्किट में प्रदर्शन के लिए)।
30.	गूटी इन स्टोन	273.91	विलीयम पल मार्केट प्रतुल चन्द्रभिल, किरंगी बाजार, कटक (उड़ीसा)		“डाकुमेंट्री” फिल्म।
31.	पानन	272.82	भरमजीत रानू, 51, सीता स्मृति, तीसरा तल, ठाकुर द्वार रोड, बम्बई-2		“डाकुमेंट्री” फिल्म।
32.	उत्तर प्रदेश समाचार संख्या 44	275.00	निदेशक, सूचना और जन- सम्पर्क विभाग, उत्तर प्रदेश लखनऊ		“समाचार और सामयिक घटनाओं” की फिल्म (उत्तर प्रदेश सर्किट में प्रदर्शन के लिए)।
33.	उत्तर प्रदेश समाचार संख्या 45	278.00	-तदैव-		-तदैव-
34.	जहाँ समय स्थिर है	318.00	फिल्म प्रभाग, 24, पैडर रोड, बम्बई-26		“डाकुमेंट्री” फिल्म।
35.	यू० एण्ड वेड्स एंड मेजेर	304.00	श्री धर्मपाल, बंगला सं० 5, नजीरवाड़ी, जुहु चर्च रो , जुहु, बम्बई-51		-तदैव-
36.	महिती चित्र संख्या 272	274.32	सहायक सूचना निदेशक, गुजरात सरकार, धनराज महुल, प्राइड पलोड, छत्त- पति, शिवाजी मार्ग, बम्बई- 39		“समाचार और सामयिक घटनाओं” की फिल्म (गुजरात सर्किट में प्रदर्शन के लिए)।

1	2	3	4	5	6
37. रोगनोकाटी पुनर्निर्माण	304.80	भ्रान्ध प्रदेश राज्य फिल्म विकास निगम लि०, 'ग्रुह-कल्प' एम०जे० रोड, हैबराबाद।			"समाचार और सामयिक घटनाओं" की फिल्म (भ्रान्ध प्रदेश में प्रदर्शन के लिए)।
38. आपरेजन 100	225.00	मैसर्स योगी फिल्म, 12, देवदत्त, गैबस्टेड, बाबरा, बम्बई-50			"शिक्षा संबन्धी" फिल्म (सामान्य प्रदर्शन के लिए)।
39. बापलाल गोज टू कोर्ट	375.00	फिल्म प्रभाग, 24, पैडर रोड, बम्बई-26			"शिक्षा संबन्धी" फिल्म (केवल गुजराती भाषा में प्रदर्शन के लिए)।
40. महिती चित्र संख्या 273	187.76	सहायक सूचना निदेशक (टी) गुजरात सरकार, धनराज महल, प्राउड पसोर, छत्र-पति शिवाजी महाराज मार्ग, बम्बई-39			"समाचार और सामयिक घटनाओं" की फिल्म (गुजरात सर्किट में प्रदर्शन के लिए)।
41. डा० मोहम्मद इकबाल	581.00	भली सरकार जाफरी, 10, सीता महल, बोमाजी पेठ रोड, बम्बई-36			"डाकुमेंट्री" फिल्म।
42. बिजली से प्रगति	305.00	फिल्म प्रभाग, 24, पैडर रोड, बम्बई-26		-तैय-	
43. इंडियाना साहिले		बी० एस० सुखवेण, यूनाइटेड फिल्म आर्ट्स, 14, राक हाउस, बाली, बम्बई-18		-तैय-	
44. अज्ञान स्वतंत्रता सेनानी	439.00	कृष्णस्वामी एसोसिएशन, महात्मा गांधी रोड, शास्त्री नगर, मद्रास।		-तैय-	
45. महिती चित्र संख्या 274	205.74	गुजरात सरकार, धनराज महल, प्राउड पसोर, छत्र-पति शिवाजी महाराज मार्ग, बम्बई-39			"समाचार और सामयिक घटनाओं" की फिल्म (गुजरात सर्किट में प्रदर्शन के लिए)।
46. ए सिस्टर फार किटू	401.00	फिल्म प्रभाग, 24, पैडर रोड, बम्बई-26			"शिक्षा संबन्धी" फिल्म (दक्षिण सर्किट में प्रदर्शन के लिए)।
47. मध्य प्रदेश समाचार वर्शन संख्या 14	290.16	सहायक निदेशक, सूचना और प्रचार, मध्य प्रदेश सरकार, भोपाल।			"समाचार और सामयिक घटनाओं" की फिल्म (मध्य प्रदेश में प्रदर्शन के लिए)।
48. मेट्रोनेक्स एट सी	402.00	फिल्म प्रभाग, 24, पैडर रोड, बम्बई-26			"डाकुमेंट्री" फिल्म (सामान्य प्रदर्शन के लिए)।
49. आपरेजन ए थ्रूपोर्ट	397.00	-तैय-		-तैय-	
50. अहम ब्रह्मस्मि	295.44	फिल्म लाईन कारपोरेशन, सिमन स्टूडियो, त्रिवेन्द्रम		-तैय-	
51. बाइपाबा काबिराव आला	303.00	महाराष्ट्र सरकार फिल्म केन्द्र तारदेव रोड, बम्बई-34			"डाकुमेंट्री" फिल्म (महाराष्ट्र सर्किट में प्रदर्शन के लिए)।
52. महाराष्ट्र समाचार संख्या 312	297.00	-तैय-			"समाचार और सामयिक घटनाओं" की फिल्म (महाराष्ट्र सर्किट में मराठी और हिन्दी में प्रदर्शन के लिए)।
53. आकाशवाणी	528.00	फिल्म प्रभाग 24, पैडर रोड, बम्बई-26			"डाकुमेंट्री" फिल्म।
54. दि अनाउन्समेंट	600.00	-तैय-			"शिक्षा संबन्धी" फिल्म (पश्चिम बंगाल सर्किट में प्रदर्शन के लिए)।
55. इनक	422.00	-तैय-			"शिक्षा संबन्धी" फिल्म।

1	2	3	4	5	6
36. प्रत्युमीनियम		320.65	एच० आर० सरीन, सरीन प्रोडक्शन, 4-गोबार रोड, साताक्रुज, पश्चिम, बम्बई-54		"डाकुमेंट्री" फिल्म।
57. ट्राई..... एड यू केन		268.00	फिल्म प्रभाग, 24, पैडर रोड, बम्बई-26		"शिक्षा संबंधी" फिल्म (अर्ध शहरी तथा ग्रामीण सर्किटों में प्रदर्शन के लिए)।
58. वि रेस		172.00	-तदैव-		"शिक्षा संबंधी" फिल्म।
59. असला डाडला नाको ग। बार्ड		279.00	-तदैव-		"शिक्षा संबंधी" फिल्म (महाराष्ट्र में अर्ध शहरी तथा ग्रामीण सर्किटों में प्रदर्शन के लिए)।
60. एंड दैन दि वैडिंग		427.00	-तदैव-		"शिक्षा संबंधी" फिल्म (सामान्य प्रदर्शन के लिए)।
61. मशीनबाला		283.00	-तदैव-		"शिक्षा संबंधी" फिल्म (हिन्दी सर्किट में प्रदर्शन के लिए)।
62. महिला चित्र संख्या 276		192.02	सहायक सूचना निदेशक, गुजरात सरकार, धनराज महुल ग्राउन्ड फ्लोर, छत्रपति शिवाजी महाराज मार्ग, बम्बई-39		"समाचार और सामाजिक घटनाओं" की फिल्म (गुजरात सर्किट में प्रदर्शन के लिए)।
63. ओलो माटी हीराबी शेटी		293.00	सूचना और जन सम्पर्क महा-निदेशक, महाराष्ट्र सरकार फिल्म केन्द्र, 68, तारदेव रोड, बम्बई-34		"डाकुमेंट्री" फिल्म (महाराष्ट्र सर्किट में प्रदर्शन के लिए)।

[फाइल संख्या 315/1/78-एफ (पी)]

अर्जुन देव मलिक, डेस्क अधिकारी

MINISTRY OF INFORMATION & BROADCASTING

ORDER

New Delhi, the 6th June, 1978

S.O. 1815.—In pursuance of the directions issued under the provision of each of the enactments specified in the First

Schedule to the order of the Government of India in the Ministry of Information and Broadcasting No. S.O. 3792 dated the 2nd December, 1966, the Central Government after considering the recommendations of the Film Advisory Board, Bombay, hereby approves the films specified in column 2 of the Schedule annexed hereto in all its/their language versions to be the description specified against it/each in column 6 of the said Schedule.

SCHEDULE

S. No.	Title of the film	Length of the film (in metres)	Name of the Applicant	Name of the Producer	Brief whether a synopsis scientific film or for educational purpose or a film dealing with news current events or documentary films.
1	2	3	4	5	6
1.	INR 1526	245.00	Films Division, 24-Peddar Road, Bombay-26.		"News & Current Events.
2.	INR 1526 (Northern Edition)	298.00	-do-		Release in North circuit, 'News Current Events.
3.	INR 1527	244.00	-do-		"News & Current Events"
4.	INR 1527 (Eastern Edition)	293.00	-do-		Release in East circuit, 'News & Current Events'.
5.	INR 1528	230.00	-do-		'News & Current Events'.
6.	INR 1528 (Southern Edition)	302.00	-do-		Release in Southern Circuit, 'News and Current Events'.
7.	INR 1529	298.00	-do-		'News & Current Events'.
8.	INR 1530	237.00	-do-		-do-
9.	INR 1530 (Western Edition)	302.00	-do-		'News & Current Events' in Western Circuit
10.	INR 1531	242.00	-do-		'News & Current Events'.
11.	INR 1531 (Northern Edition)	301.00	-do-		Release in Northern Circuit, 'News & Current Events,

1	2	3	4	5	6
12.	INR 1532	223.00	Films Division, 24-Peddar Road, Bombay-26.		'News & Current Events'.
13.	INR 1532 (Eastern Edition)	302.00	-do-		Release in Eastern circuit 'News & Current Events'.
14.	INR 1533	235.00	-do-		'News & Current Events'.
15.	INR 1533 (Southern Edition)	299.00	-do-		Release in Southern circuit, 'News & Current Events'.
16.	INR 1534 (Western Edition)	301.00	-do-		Release in Western region 'News & Current Events'.
17.	INR 1534	243.00	-do-		'News & Current Events'.
18.	INR 1535	221.00	-do-		-do-
19.	INR 1535 (Northern Edition)	287.00	-do-		Release in Northern edition 'News & Current Events'.
20.	INR 1536	226.00	-do-		General release and classified 'News & Current Events'.
21.	INR 1536 (Eastern Edition)	302.00	-do-		Release in eastern circuit and classified 'News & Current Events'.
22.	INR 1538	211.00	-do-		'News & Current Events'.
23.	INR 1538 (Western Edition)	303.00	-do-		Release in Western region and classified as 'News & Current Events'.
24.	Mahiti Chitra No. 270 .	259.08	Dhanaraj Mahal, Ground floor, Govt. of Gujarat, Chhatrapati Shivaji Maharaj Marg, Bombay-39.		Release in Gujarat circuit, 'News & Current Events'.
25.	A New Year of Goodwill	554.00	Films Division, 24-Peddar Road, Bombay-26.		'Documentary'.
26.	Farmer's Friend State Farms.	406.00	-do-		Release in rural & semi-urban areas and classified as 'Documentary'.
27.	Agriexpo 77	392.00	-do-		'Documentary'.
28.	Mahitichitra No. 271 .	274.32	Govt. of Gujarat, Dhanaraj Mahal Ground floor, Chhatrapati Shivaji Maharaj Marg, Bombay-39.		Release in Gujarat Circuit, 'News & Current Events'.
29.	Uttar Pradesh Samachar No. 43.	260.90	Directorate Information & Public Relations Deptt., Uttar Pradesh, Lucknow.		Release in Uttar Pradesh Circuit, 'News & Current Events'.
30.	Beauty In Stone	273.91	Dilip Dutta, C/o Atul Chandra mitra Firingi Bazar, Cuttack (Orissa).		'Documentary'
31.	Patan	272.82	Amarjeet Ranu, 51, Sita Suriti, 3rd Floor, Thakurdwar Rd., Bombay-2.		-do-
32.	Uttar Pradesh Samachar No. 45.	275.00	Director, Information & Public Relations Deptt., Uttar Pradesh, Lucknow.		Release in Uttar Pradesh circuit 'News & Current Events'.
33.	Uttar Pradesh Samachar No. 45.	278.00	-do-		-do-
34.	Where Time Stands Still .	318.00	24-Peddar Road, Films Division, Bombay-26.		'Documentary'.
35.	You and Weights and Measure.	304.00	Shri Dharam Pal, Bungalow No. 5, Nazirwadi, Juhu Church Road, Juhu, Bombay-51.		-do-
36.	Mahitichitra No. 272. .	274.32	The Asstt. Director of Information, Govt. of Gujarat, Dhanaraj Mahal, Ground Floor, Chhatrapati Shivaji Maharaj Marg, Bombay-39.		'News & Current Events' Release in Gujarat Circuit.
37.	Ponnikato Punarnirman	304.80	Andhra Pradesh State Film Development Corp. Ltd., 'Gruha-kalpa', M. J. Road, Hyderabad.		Release in Andhra Pradesh 'News & Current Events'.

1	2	3	4	5	6
38.	Operation 100	225.00	M/s. Yogi Films, 12 Devduti, Bandstand, Bandra, Bombay-50.		General release 'Educational'.
39.	Bapalal Goes To Court	375.00	Films Division, 24-Peddar Road, Bombay.		Release in Gujarati language only 'Educational'
40.	Mahitichitra No. 273	187.76	Asstt. Director of Information (T) Govt. of Gujarat, Dhanaraj Mahal, Gr. Floor, Chhatrapati Shivaji Maharaj Marg, Bombay-39.		Release in Gujarati circuit 'News & Current Events'.
41.	Dr. Mohammad Iqbal	581.00	Ali Sardar Jafri, 10 Sesta Mahal, Bomaji Petit Road, Bombay-36.		'Documentary'
42.	Progress With Power	305.00	24-Peddar Road, Films Division, Bombay-26.		-do-
43.	Indiana Mahile		Shri S. Sukhdev, United Film Arts, 14 Rock House, Worli, Bombay-18.		-do-
44.	The Unknown Freedom Fighters	439.00	Krishnaswamy Associations, Mahatma Gandhi Road, Shastri-Nagar, Madras.		-do-
45.	Mahitichitra No. 274.	205.74	Govt. of Gujarat, Dhanaraj Mahal, Gr. Floor, Chhatrapati Shivaji Maharaj Marg Bombay-39.		Release in Gujarat Circuit 'News & Current Events'.
46.	A Sister For Kittu.	401.00	24-Peddar Road, Films Division, Bombay-26.		Release in Southern Circuit 'Educational'.
47.	Madhya Pradesh Samachar Darshan No. 14.	290.16	Asstt. Director, Information & Publicity, Govt. of Madhya Pradesh, Bhopal.		Release in Madhya Pradesh as 'News & Current Events'.
48.	Sentinels At Sea	402.00	Films Division, 24-Peddar Road, Bombay-26.		General release 'Documentary'.
49.	Operation Airport	297.00	-do-		General release and classified 'Documentary'.
50.	Aham Bramasmi	395.44	Film Line Corp. Sivan Studio, Trivandrum.		General release and classified as 'Documentary'
51.	Khandyacha Khanderao Zala	303.00	Govt. of Maharashtra Film Centre, 68- Tardeo Road, Bombay-34.		release in Maharashtra circuit and classified as "Documentary"
52.	Maharashtra News No. 312.	297.00	Govt. of Maharashtra Film Centre 68- Tardeo Road, Bombay-34.		Release in Maharashtra Circuit and classified 'News & Current Events' in Marathi & Hindi versions.
53.	Akashvani	528.00	Films Division, 24-Peddar Road, Bombay-26.		'Documentary'.
54.	The Announcement	600.00	-do-		Release in West Bengal circuit and classified 'Educational'.
55.	Enough	122.00	-do-		'Educational'
556.	Aluminium	320.65	H.R. Sarin, Sarin Production 4, Podar Rd., Santacruz West, Bombay-54.		'Documentary'
57.	Try...And You Can	268.00	24-Peddar Road, Films Division, Bombay-26.		Release in semi-urban and rural circuits 'Educational'.
58.	The Race	172.00	-do-		'Educational'
59.	Asla Dadla Nako Ga Bai.	279.00	-do-		Release in semi-urban and rural circuits in Maharashtra, classified 'Educational'.
60.	And Then The Wedding	427.00	-do-		General release and classified as 'Educational'.
61.	Machinewala	283.00	-do-		Release in Hindi circuits 'Educational'

1	2	3	4	5	6
62.	Mahitichitra No. 276.	192.02	Asstt Director of Information, Govt. of Gujarat, Dhanraj Mahal, Gr. Floor, Chhatrapati Shivaji Maharaj Marg, Bombay-39.		Release in Gujarat circuit and classified as "News and Current Events".
63.	Oli Mati Hiravi Sheti	293.00	Directorate General of Information and Public Relations., Govt. of Maharashtra Film Centre, 68-Tardeo Rd. Bombay-34.		Release in Maharashtra circuit as "Documentary".

[File No. 315/1/78-F(P)]
A.D. Malik, Desk officer

श्रम संलासय

आदेश

नई दिल्ली, 25 मई, 1978

का०आ० 1816—केन्द्रीय सरकार की राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में बी०सी०जी० वैक्सिन लैबोरेटरी, मद्रास के प्रबन्धतंत्र से सम्बद्ध नियोजकों और उनके कर्मचारियों के बीच एक औद्योगिक विवाद विद्यमान है ;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वाछनीय समझती है ;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7क और धारा 10 की उपधारा (1) के खड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये, केन्द्रीय सरकार एक औद्योगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री के०सेल्वास्वतम होंगे, जिनका मुख्यालय, मद्रास में होगा और उक्त विवाद को उक्त औद्योगिक अधिकरण को न्यायनिर्णयन के लिए निर्देशित करती है ।

अनुसूची

"क्या बी०सी०जी० वैक्सिन लैबोरेटरी, गिंडी, मद्रास के प्रबन्धतंत्र की माकुरी आर० वसन्धा, ग्लासवेयर क्लीनर की सेवा को 17-3-76 से समाप्त करने की कार्यवाही न्यायोचित है ? यदि नहीं, तो कुमारी आर० वसन्धा किस अनुतोष की हकदार है ?"

[मं० एल 42012(19)/77-डी० 2(बी)]

हरबन्स बहादुर, डेस्क अधिकारी

MINISTRY OF LABOUR

ORDER

New Delhi, the 25th May, 1978

S.O. 1816.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of the B.C.G. Vaccine Laboratory, Madras and their workman in respect of the matters specified in the Schedule hereto annexed ;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication ;

Now, therefore, in exercise of the powers conferred by Section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri K. Selvaratnam shall be the Presiding Officer with headquarters at Madras and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

"Whether the action of the management of the B.C.G. Vaccine Laboratory, Guindy, Madras in terminating the services of Kumari R. Vasantha. Glassware

Cleaner, with effect from 17-3-1976, is justified ? If not, to what relief is Kumari R. Vasantha entitled ?"

[No. L-42012(19)/77-D.II(B)]

HARBANS BAHADUR, Desk Officer

New Delhi, the 6th June, 1978

S.O. 1817.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Presiding Officer, Central Government Industrial Tribunal-Cum-Labour Court No. 2, Bombay in relation to the Management of Messrs. Shantilal Khushaldas and Brothers Private Limited, owners of Odamol Iron Ore Mine, Margao, Goa, and their workmen, which was received by the Central Government on 1st June, 1978.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, BOMBAY

CAMP : PANAJI

PRESENT :

Shri P. Ramakrishna—Presiding Officer.

Reference No. CGIT-2/18 of 1973

Employers in relation to the management of Messrs. Shantilal Khushaldas and Brothers, Private Limited, Owners of Odamol Iron Ore Mine, Margao, Goa.

AND

Their workman Shri Mahadeo Kandolkar.

APPEARANCES :

For the employers—Shri G. R. Srinivasan, Personnel Manager.

For the workman—Shri George Vaz, General Secretary, Goa Mining Labour Welfare Union, Goa.

INDUSTRY : Iron Ore Mines

STATE : Goa, Daman and Diu.

Panaji, dated the 16th May, 1978

AWARD

The Government of India, Ministry of Labour acting under the powers conferred upon them under Section 10(1)(d) of the Industrial Disputes Act, 14 of 1947 have referred the following industrial dispute to this Tribunal for adjudication as per their order No. L-26012/8/73-LR.IV dated 12-12-1973 :—

"Whether the action of the management of Messrs. Shantilal Khushaldas and Brothers Private Limited, Owners of Odamol Iron Ore Mine, Margao (Goa) was justified in dismissing Shri Mahadeo Kandolkar, Mines Mate with effect from the 4th January, 1973 ? If not, to what relief is he entitled ?"

The facts disclosed in the statement of claim filed by the General Secretary of the Goa Mining Labour Welfare Union are that the workman herein worked for 12 years as a mines Mate in the Odamol Iron Ore Mines belonging to M/s Shanti

lal Khushaldas and Brothers (P) Ltd. hereinafter referred to as the Company before he was removed from service. On 8-9-1972 the workman was arrested by the Police on suspicion while carrying a galvanised Iron pipe. On 9-9-1972 the Mines Manager Shri K. Venketachalam gave a police complaint regarding theft of pipe. The Police charge-sheeted the workman for this offence of theft before the Judicial First Class Magistrate Quepem. Even before the criminal case was disposed of the management served a charge-sheet on the workman on 14-10-1972 for the very same offence. He was also kept under suspension from 9-9-1972. A domestic enquiry was held by Shri Ranade, Labour Officer on 2-1-1973. The workman contends that the domestic enquiry conducted before the conclusion of the criminal proceedings being subjudice is illegal. The Enquiry Officer found the workman guilty of this misconduct. On the finding of the Enquiry Officer the Director of the company passed the order of dismissal dated 4-1-1973 against the workman. On 6-7-1973 the J.F.C.M. acquitted the workman of the offence of theft. Soon after the judgement was pronounced the workman issued a notice to the management demanding reinstatement with continuity of service and full back wages. The management declined to do so. Thereupon the matter was referred to the Assistant Labour Commissioner (Central) Vasco-de-Gama for conciliation. On submission of the failure of conciliation report by the Assistant Labour Commissioner (C) Vasco-de-Gama on 18-10-1973, the Government is pleased to make this reference.

The management in their written statement stated that the domestic enquiry cannot be said to be illegal merely because it is initiated before the conclusion of the criminal proceedings. They also submit that all the principles of natural justice have been followed by the Enquiry Officer while conducting the present enquiry against the workman. They also submit that the punishment of dismissal is warranted by the standing orders of the company. They pray that this reference may be answered against the workman.

On the above pleadings the points that arise for consideration are :—

- (i) Whether the domestic enquiry is vitiated for any of the reasons mentioned in the written statement ?
- (ii) Whether the finding of guilty arrived at by the Enquiry Officer is warranted by the evidence of record ?
- (iii) To what relief ?

Point (i) :

The facts giving rise to this reference are that the workman herein was working as a Mines Mate in the Odamol Iron Ore Mines of the company. On 8-9-1972 at about 7.30 P.M. two Police constables of Colem Police Station who were on patrol duty at Darbandora apprehended the workman herein on suspicion while he was carrying four pieces of galvanised Iron pipe worth Rs. 80. The workman was secured in the Police lock-up soon after his arrest. The next day the Mines Manager Shri K. Venkatachalam who is now said to be no more filed a complaint with the Police stating that the stolen pipe belongs to the company. The Police chargesheeted the workman in C. C. No. 2243/72 before the J.M.F.C. at Quepem. Before the criminal case could come up for trial the company started taking departmental action. It is also alleged that from 8-9-1972 till the order of dismissal was passed on 4-1-1973 the workman was kept under suspension. The Enquiry Officer Shri Ranade (Labour Officer) after examining the complainant Shri Venketachalam for the department and the workman for the defence recorded a finding of guilty. On the basis of this finding the Director of the company by his order dated 4-1-1973 dismissed the workman from service. On 6-7-1973 the J.F.C.M. acquitted the workman of the charge of theft. It is contended on behalf of the workman that the departmental enquiry held by the company before the conclusion of the criminal case is illegal. No authority in support of this contention has been cited. In the absence of any such authority I am not inclined to accept this contention. No other infirmity in the procedure followed by the Enquiry Officer has been pointed out. The departmental

witness was examined in the presence of the workman and he was given sufficient opportunity to cross-examine him. The workman was also given an opportunity to lead evidence to establish his innocence. No bias of the Enquiry Officer against the workman has been alleged or established. I therefore hold that the departmental enquiry is not vitiated for any of the reasons mentioned in the statement of claim.

Point (i) held in favour of the management.

Point (ii) :

It is next urged on behalf of the workman that there is absolutely no evidence worth the name to support the finding of guilty arrived by the Enquiry Officer. A perusal of the Enquiry Proceedings marked Ex. E-5 shows that there is only the complainant's evidence in support of the case of theft. That evidence being very short may be usefully extracted :

"Mr. K (applicant) stole 20 feet galvanised pipe from the mine on 8th Sept. '72 evening and was caught by the Police authority on 8th Sept. '72 night. On 9th Sept. '72 during my inspection at the mine, I found that 20 feet galvanised pipe belonging to the company is missing. Accordingly on 9th Sept. '72 we lodged complaint with the Police authority, as per routine procedure. The Police authority had already locked him up. Such type of misconduct namely theft of company's property is serious misconduct and we cannot tolerate such misconduct in the establishment."

After recording the complainant's evidence the Enquiry Officer observed as follows :—

"The Enquiry Officer stated to Mr. K (applicant) that the charge 'theft' fraud or dishonesty in connection with the company's business or property' is now established on Mr. K. Prima facie and now Mr. K is given opportunity to give his statement and evidence."

Thereafter the workman's evidence which is given below was recorded :—

"I was on duty on 8th Sept. '72 at Odamol Mine. I did not commit theft. I only want to state this much."

The Enquiry Officer submitted the following report finding the workman guilty :

"Mr. Mahadev Kandolkar, Mines Mate, Odamol Mines committed theft of 20 feet galvanised pipe from the mines on 8th Sept. '72 evening and was caught by the Police Authority on 8th Sept., 1972 night. The charge mentioned in the charge-sheet—"Theft, fraud or dishonesty in connection with the company's business or property" has been clearly established on Mr. Mahadev Kandolkar. Mine Mate though he has denied the charge in his statement."

The evidence of the complainant does not show that it was the workman herein that removed the galvanised pipe from the mine. The exact spot from which the pipe was removed is not spoken to. On what basis the Enquiry Officer could say that it was the workman that was responsible for the commission of theft of that pipe is not clear. Reliance is sought to be placed on the statement of the workman in his cross-examination before the Enquiry Officer. To the question put by the Mines Manager, the workman stated

"I showed the stolen pipe to Mines Manager at Police Station."

From this statement there is no warrant whatsoever for imputing the offence of theft to the workman. Even the Enquiry Officer did not do so. The enquiry report and the finding recorded by the enquiry officer show that there is absolutely no evidence whatsoever on the record to sustain the finding of guilty. Shri Sri Nivasen for the management submits that the plea of the workman before the criminal court viz., that on the night in question as he was carrying home some galvanised iron pipe which was lying abandoned 300 metres away from the mine area he was arrested by the Police is sufficient to incriminate him. The plea taken by

the workman before the criminal court and the evidence led by the prosecution and the defence in the criminal proceedings need not be discussed in considering the acceptability of the enquiry officer's report. To see whether the enquiry officer's finding is warranted, we must confine ourselves to the evidence adduced at the time of enquiry and not to the evidence or the plea taken by the workman before the criminal court about six months after the conclusion of the departmental enquiry.

Reference may also be made to the evidence adduced on behalf of the workman before this Tribunal. The workman examined as WW-1 referred to the defence taken by him before the criminal court. He also stated that the enquiry was conducted in Marathi with which language he is not familiar. He says that his mother tongue is Konkani. At the same time he admits that the proceedings were interpreted to him by the B.O's clerk for his benefit. WW-2 Anant Devdas is another employee of the company. He corroborates the evidence of WW-1 saying that the pipe in question was an old and rusted one, lying abandoned beyond the limit of the mine area. He also says that the alleged stolen pipe recovered from the workman was of the size 3/4" diameter whereas the pipe alleged to have been stolen from the mining area was one inch in diameter. It may be stated that the workman's plea that the pipe recovered from him was not the property alleged to have been stolen from the mine found favour with the learned Magistrate for the reason that the diameter of the missing pipe did not tally with that of the pipe recovered from WW-1. On behalf of the management Shri Srinivasan, Personnel Manager of the company is examined. He says that the Enquiry Officer Shri Ranade is no longer in the service of the company and his whereabouts are not known. The complainant Shri Venkatachalam is not alive. He says that he can identify the signature of S/shri Venkatachalam and Ranade on the enquiry proceedings Ex. E-5.

In view of my finding that there is absolutely no evidence worth the name in support of the finding of guilty arrived at by the Enquiry Officer, the said finding may be said to be perverse and unwarranted.

Point (ii) held against the management.

Point (iii) :

Shri George Vaz for the workman stated that the workman is not interested in seeking relief of reinstatement. Admittedly he has secured an alternative job on 17-10-1973 with M/s Fomento and Company as a Mine Mate on a basic salary of Rs. 275 and V.D.A. of Rs. 157.50 per month. Shri Vaz submits that the workman is entitled to payment of gratuity for his 12 years of service in this company before the date of the illegal order of dismissal and also for salary from the date of dismissal till 17-10-1973, the date on which he secured alternative job. He also complains that no subsistence allowance has been paid to the workman from 9-9-1972 till he was dismissed from service on 4-1-1973 after the departmental enquiry during which period according to him he was kept under oral orders of suspension.

For the aforesaid reasons it is held that the management of Messrs Shantlal Khushaldas and Brothers Private Limited, Owners of Odamol Iron Mine, Margao (Goa) was not justified in dismissing Shri Mahadeo Kandolkar, Mine Mate with effect from the 4th January, 1973. Since the workman is not pressing for the relief of reinstatement he will be entitled to arrears of salary from the date of the illegal order of dismissal viz. 4-1-1973 till 17-10-1973 the date on which he secured an alternative job. The workman will also be entitled to arrears of pay from 9-9-1972 till the date of dismissal viz., 4-1-1973 less any amounts already paid to him.

P. RAMAKRISHNA, Presiding Officer.

[No. L-260128/73-LR. IV/DIIB]

JAGDISH PRASAD, Under Secy.

New Delhi, the 6th June, 1978

S.O. 1818.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Hyderabad in the Industrial dispute

between the employers in relation to the management of Singareni Collieries Co. Ltd. Ramagundam Div. I and their workmen which was received by the Central Government on 2nd June, 1978.

BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL) AT HYDERABAD

PRESENT :

Sri K. P. Narayana Rao, B.A., B.L., Industrial Tribunal,
Andhra Pradesh, Hyderabad.

Industrial Dispute No. 27 of 1977

BETWEEN

Workmen of Singareni Collieries Company Limited,
Ramagundam Division-I.

AND

The Management of Singareni Collieries Company Limited,
Ramagundam Division-I, Karimnagar District.

Industrial Dispute No. 28 of 1977

BETWEEN

Workmen of Singareni Collieries Company Limited,
Ramagundam Division-I.

AND

The Management of Singareni Collieries Company Limited,
Ramagundam Division-I, Karimnagar District.

APPEARANCES :

Sri A. Lakshmana Rao, Advocate—for the Workmen.

Shri D. Gopala Rao, Member, A. P. Federation of
Chambers of Commerce and Industries—for the
Management.

COMMON AWARD

The Government of India, Ministry of Labour through order No. 21012(4)/76-D-III(B)/D-IV(B) dt. 21-11-1977 referred under Sections 7A and 10(1)(d) of the Industrial Disputes Act, 1947 the following dispute existing between the Employers in relation to the Management of M/s. Singareni Collieries Company Limited, Ramagundam Division I and their Workmen to this Tribunal for adjudication :—

"Whether the action of the management of Messrs. Singareni Collieries Company Limited, Ramagundam Division-I in terminating the services of Sri P. Gattamallu, Tub-Repairing Mistry, Godavari Khani with effect from 27-8-1976 is justified ?

If not, to what relief is the concerned workmen entitled?"
This reference was registered as Industrial Disputes No. 27 of 1977.

2. The Government of India Ministry of Labour through Order No. L-21012(5)/78-D-III(B)/D-IV(B) dated 23-11-1977 referred under Sections 7A and 10(1)(d) of the Industrial Disputes Act, 1947 the following dispute existing between the Employers in relation to the Management of Singareni Collieries Company Limited, Ramagundam Division I and their workman to this Tribunal for adjudication :—

"Whether the action of the management of Messrs. Singareni Collieries Company Limited, Ramagundam Division-I in terminating the services of Sri Muniruddin, Tub-repairing Mistry, Godavari Khani with effect from 27-8-1976 is justified ?

If not, to what relief is the concerned workman entitled?"

This reference was registered as Industrial Dispute No. 28 of 1977.

3. In both these Industrial Disputes, notices were ordered to be issued to the parties. The workmen concerned in both these industrial disputes filed claims statements putting forward similar contentions and they are as follows :—P. Gattumallu is the workman concerned in I.D. No. 27 of 1977 and Muniruddin is the workman concerned in I.D. No. 28 of 1977. They were both working as Tub-repairing Mistries. Godavari Khani, Guttumallu entered service in 1964 whereas Muniruddin joined in 1959. Their record of service was unblemished throughout. On 7-6-1976 both these workmen reported for duty in the first shift which commenced at 7.00 a.m. At about 9.00 a.m. they went to the Canteen for tea. At the Canteen Muniruddin was informed about his wife's serious illness by his son. Both these workmen therefore went to Muniruddin's house and made arrangements to get Muniruddin's wife treated by a private Physician. Under these circumstances both these workmen could not attend duty for the rest of the period during the first shift. They were charge sheeted on 7-6-1976 for leaving the workshop without permission and ultimately the punishment of suspension for ten days was imposed on them through a letter dated 30-7-1976. On 13-6-1976 another charge-sheet was issued to both these workmen stating that during the first shift on 8-6-1976 they were caught at about 2.00 p.m. while stealing a brass cable socket. Through another letter dated 15-6-1976 the date mentioned in the charge-sheet was corrected as 7-6-1976. A domestic enquiry was conducted and both these workmen were dismissed from service with effect from 27-8-1976. The domestic enquiry was not conducted impartially and in accordance with the principles of natural justice. The findings arrived at are perverse. The Divisional Superintendent is not competent to pass the impugned orders of dismissal and it is only the General Manager that can dismiss them. These workmen did not commit any misconduct. The punishment of dismissal is disproportionate to the gravity of the misconduct. Ever since their dismissal these workmen could not secure alternative employment inspite of best efforts. Under these circumstances both these workmen pray that an award might be passed setting aside the orders dated 26-8-1976 by which they were dismissed from service with effect from 27-8-1976 and directing their reinstatement with full back wages and continuity of service.

4. In both these industrial disputes the Management filed counters with the following identical allegations.—These workmen left the workspot without the permission of the authority. For that they were chargesheeted under Standing Order 16(18) and suspended for ten days. Again both these workmen were further charge-sheeted under Standing Order 16(2) for committing theft of a brass cable socket. An enquiry was conducted into the charge and it was held that the charge was proved. Thereupon both these workmen were finally dismissed. It is false to contend that the domestic enquiry was not conducted in an impartial manner or in accordance with the principles of natural justice. It is also not correct to state that the findings recorded at the domestic enquiry are perverse. The punishment awarded is proper and fair in view of the fact that the past conduct of the workmen was not good. The claims put forward by the workmen are likely to be rejected.

5. On 8-3-1978 I passed a preliminary order holding that the principles of natural justice were followed by the officer who held the domestic enquiry and that the findings recorded by him were not prima facie perverse.

6. In view of the permission accorded to both parties, W.Ws. 1 and 2 were examined on behalf of the workmen. W.W.1 Muniruddin is the workman concerned in I.D. No. 28 of 1977 whereas W.W. 2 is Gattumallu the workman concerned in I.D. No. 27 of 1977. On behalf of the Management M.W. 1 who has been working as Foreman in the Workshop at Godavari Khani was examined and Exs. M1 to M3 were marked.

7. The case of the workmen as set out in the claims statement and as spoken to by W.Ws. 1 and 2 may now be stated. Both these workmen were working as Tub-repairing Mistries in the workshop at Godavari Khani under the Singareni Collieries Company Limited, Ramagundam Division-I. On 7-6-1976 they went for work in the first shift which lasts from 7.00 a.m. to 3.30 p.m. At about 8.30 or 8.45 a.m.

W.Ws. 1 and 2 went to the Canteen for tea. W.W. 1's 12 years old son by name Azeem came to the Canteen and informed his father that his mother namely W.W. 1's wife had taken ill. W.W. 1 was upset. He went home along with W.W. 2 and found that his wife's condition was serious. He made efforts till about 12.30 p.m. to raise funds required for obtaining private medical treatment for his wife. Ultimately W.W. 2 pledged his wife's silver anklets with a Marwadi for Rs. 50.00 and made that amount available to W.W. 1. Both the workmen took W.W. 1's wife to a private Physician by name Dr. Rajam who gave her an injection. The sick lady was taken home. Both the workmen remained by her bed side without returning to duty for the rest of the shift hours. On the very same day Ex. M1 the charge-sheeted dated 7-6-1976 was served on both the workmen for having absented themselves from workspot from 8.00 a.m. till the end of the shift without permission which is misconduct under Standing Order 16(18). Ex. M2 is the order dated 30-7-1976 passed by the Management suspending both these workmen for ten days from work from 1-8-1976 as a measure of punishment for the above charge. On 13-6-1976 another charge-sheet was served on both these workmen stating that on 8-6-1976 at about 2.00 p.m. both these workmen were caught by two Watchmen by name M. A. Hakeem and K. P. James while stealing a brass cable socket of the Loader Machine, lying by the side of the stone pulveriser machine and that it was a serious offence under Standing Order 16(2). A Memo dated 15-6-1976 was issued by the Management correcting the date of the aforementioned offence given in the charge-sheet as 7-6-1976 instead of 8-6-1976 which was the date originally mentioned. Both these workmen submitted explanations denying the allegations made in the charge-sheet. A domestic enquiry was held into the charge and five witnesses were examined for the Management and four including the two workmen concerned for the charge-sheeted employees. The Enquiry Officer submitted a report to the effect that the charge levelled against both these workmen under Standing Order 16(2) was proved. The Management thereupon passed orders on 26-8-1976 dismissing both these workmen from service with effect from 27-8-1976. These disputes subsequently came to be referred to this Tribunal.

8. M.W.1 was examined only to show that he had no personal enmity against W.Ws. 1 and 2.

9. In view of Section 11-A of the I.D. Act, 1947 it is open to this Tribunal to re-appraise the evidence that was already adduced before the Enquiry Officer. On behalf of the Management five witnesses were examined at the domestic enquiry. Witness No. 1 at the domestic enquiry is no other than the present M.W. 1. He was not a direct witness to the alleged theft of brass cable socket by W.W.1 and 2. All that he stated as that when he went to the tub-repairing section during the hours of the first shift, he did not find either of these two workmen namely W.Ws. 1 and 2 in the Section and that the workshop Charge Hand by name Veeriah informed him that he had learned from some Watchmen that these two workmen had been caught while stealing some brass material by the side of the pulveriser plant. Witness Nos. 2 and 3 at the domestic enquiry are the two Watchmen attached to the Stores and they are alleged to have seen W.Ws. 1 and 2 trying to take away the brass cable socket which was lying near the stone pulverising machine close to the Stores. They deposed at the domestic enquiry that W.W.1 was seen carrying the article in question away while W.W.2 was with him, that on seeing these two Watchmen W.W.1 dropped the article and briskly walked away, that Witness No. 3 examined on behalf of the Management at the domestic enquiry caught W.W. 1 near the pulverising shed but W.W. 1 shook him off and that both the delinquent workmen went to the Tub-repairing Section. It is also their version that Witness No. 5 examined at the domestic enquiry, who is Driver, was called by them and that the Driver saw W.Ws. 1 and 2 going towards the Tub-repairing Section. The two Watchmen further stated that Witness No. 4 examined at the domestic enquiry, who is the Workshop Charge Hand, was also informed about the occurrence and that when the Charge Hand came to the workshop, W.W.2 was seen leaving by a bicycle. The evidence of these five witnesses examined at the domestic enquiry on behalf of the Management is consistent in all material particulars and free from any discrepancies. W.W.1 admitted that he has no animosity against two Watchmen namely James and Hakeem. All that is stated

was that M.W.1 had a quarrel with W.W.2's wife near a street tap. This is denied by M.W.1 and even if it is true, the explanation appears to be too far-fetched to merit acceptance. There is also no acceptable evidence that W.Ws. 1 and 2 had submitted any demand to M.W.1 for categorisation of work etc. and that on that account there are ill-feelings between W.Ws. 1 and 2 on the one hand and M.W.1 on the other. M.W.1 is also an employee like W.Ws.1 and 2 and it is improbable that the workmen would serve a charter of demands on M.W.1 for categorisation of work etc. Hence the oral evidence adduced on behalf of the Management at the domestic enquiry proves that W.Ws.1 and 2 tried to take away the brass cable socket which was lying near the Loader Machine by the side of the pulverising plant and that on being detected they dropped the article and made good their escape.

10. Certain points urged on behalf of the workmen may now be considered. In the first place it is argued that there are ill-feelings between W.Ws. 1 and 2 on the one hand and M.W.1 on the other and that therefore W.Ws.1 and 2 were implicated in a false charge of theft. I have already negatived this contention. Secondly it is argued that from about 9.00 a.m. till the end of the first shift on 7th June, 1976 both W.Ws. 1 and 2 were attending upon W.W. 1's sick wife at W.W. 1's house and that they could not therefore have gone to the Stores and committed the theft as alleged. At the outset there is no disinterested evidence except the self-serving testimony of W.Ws. 1 and 2 that W.W. 1's wife was taken to a private Physician by name Dr. Rajam for treatment. At least a certificate from Dr. Rajam could have been produced that he had treated W.W. 1's wife on 7th June, 1976. It is somewhat unusual that the service of private Physician should have been preferred to those available in the Company's hospital especially when W.W. 1 did not have the required money to pay the private Physician. Apart from the interested testimony of W.Ws. 1 and 2 there is no evidence that W.W. 2 had pledged the wife's silver anklets with a Marwadi and raised Rs. 50.00 to meet the expenses of the private medical treatment given to W.W. 1's wife. W.W. 2 admits that they did not inform any one about W.W. 1's wife's illness and or that they had taken her to a private Physician for treatment. Hence this contention cannot be accepted. The third contention urged is that when Ex. M 1 was served on W.Ws. 1 and 2 on 7th June, 1976 itself for their unauthorised absence from duty, there is no reason why the charge sheet relating to the much more serious offence namely theft of Company's property was not served on them immediately but was served only on 13th June, 1976. The allegation of theft cannot immediately be accepted and it is quite possible that the Management thought it desirable to make some enquiries to satisfy itself about the need for framing a charge against W.Ws. 1 and 2. That must be the reason why the charge sheet relating to the alleged theft was not served on W.Ws. 1 and 2 on 7th June, 1976 but was served on them six days later. Fourthly it is contended that in the charge the date of the alleged theft as originally mentioned was 8th June, 1976 and that it was subsequently altered to 7th June, 1976 and that this circumstance itself shows that the imputation is false. The date 8th June, 1976 appears to have been mentioned in the charge by mistake and on account of inadvertence. As soon as the mistake was detected it was corrected through an amendment Memo issued on 15th June, 1976. Hence W.Ws. 1 and 2 cannot be allowed to take advantage of this typographical error which crept into the charge regarding the date of the alleged offence. Fifthly it is argued that the brass cable socket is always fastened to the Loader Machine with eight bolts and that it takes a long time to detach it from the machine and that if W.Ws. 1 and 2 had done so they would have certainly been caught while removing the socket from the Loader Machine. The charge is not that W.Ws. 1 and 2 themselves had removed the brass cable socket from the Loader Machine and tried to steal it. On the other hand the charge is that they had committed theft of the brass cable socket lying near the pulverising machine. It is quite possible that somebody had removed the brass cable socket from the Loader Machine and left it lying on the ground nearby and that W.W. 1 tried to lift it and carry it away. Hence nothing turns on this fact. Lastly it is contended that since the Loader Machine is close to the pulverising plant, where people would be working and since it also adjoins a road, W.Ws. 1 and 2 could not have ventured to commit theft of the brass cable socket in broad day light

namely at about 2.00 p.m. on 7th June, 1976. It is the evidence of M.W. 1 that the pulverising machine is installed in a shed whereas the loader machine is in the open space behind the shed. The road is also not a public thoroughfare and we cannot expect heavy traffic on it. Hence chances of the theft being detected were very slender and W.Ws. 1 and 2 might have felt confident that they would be able to carry away the brass cable socket without being detected or caught red handed. Hence I am unable to accept any one of the contentions urged on behalf of the Workmen.

11. From all these circumstances it is clear that at about 2.00 p.m. on 7th June, 1976 W.Ws. 1 and 2 themselves attempted to steal the brass cable socket from near the pulverising machine and that their attempt was foiled by the vigilance of the two Workshop Watchmen. It therefore follows that the misconduct covered by Standing Order 16(2) is proved against W.Ws. 1 and 2.

12. Standing Order 16(c) lays down that in awarding punishment the Manager shall take into account the gravity of the misconduct, the previous record if any of the employee and any other extenuating or aggravating circumstances that may exist. It is not clear whether the previous record of service of W. Ws. 1 and 2 was considered before the punishment of dismissal was imposed on them. Merely because they absented from duty on 7th June, 1976, it does not automatically follow that their record of service is so bad as to justify the imposition of the extreme penalty of dismissal. It was a case of attempted theft which did not fructify. If at all it was only W.W. 1 that tried to carry away the brass cable socket. The evidence of the witnesses examined by the Management at the domestic enquiry does not show that W.W. 2 had any hand in it. His mere presence at the place when W.W. 1 attempted to carry away the article need not lead to the inference that he also actively participated in the offence. At any rate it does not appear as if W.Ws. 1 and 2 had ever been found guilty of misconduct on any prior occasion. I am of the opinion that though the misconduct alleged is proved the punishment of dismissal imposed on them is not justified under these circumstances and that W.Ws. 1 and 2 should therefore be reinstated.

13. It has been held in Management of M/s. D. B. R. Mills Limited v. Rayamayya and another (W.P. No. 2040/76 dated 1st August, 1977 reported in Judicial Index of the Decisions of the High Court of Andhra Pradesh Part IX, September, 1977 at page 142) as follows :—

"It is not therefore necessary in view of this provision that the Tribunal must arrive at a finding regarding unfair labour practice or victimisation. Even if no victimisation or unfair labour practice is proved, it is open to the Labour Court or the Tribunal to award lesser punishment in lieu of discharge or dismissal if it is satisfied that the order of discharge or dismissal was not justified. The Tribunal may well come to the conclusion that though the order is not regularly vitiated in that the domestic enquiry was properly conducted, the order of dismissal was not justified because it was too severe."

Another decision that may be referred to in this context is the one reported in District Manager, A.P. S.R.T.C. v. Labour Court, Guntur (Reported in 1978 Andhra Pradesh High Court Notes page 1) wherein it was held as follows :—

"It is clear from the decided cases that while dealing with a dispute referred to it under the Industrial Disputes Act, the Tribunal has a very wide discretion in awarding punishments to the workmen and it cannot be confined only to the penalties specified in the Regulations or Standing Orders of the particular management. The Tribunal is at perfect liberty to impose such reasonable and rational punishment as it thinks necessary and appropriate under the circumstances of a particular case. In imposing punishments while the powers of the managements are regulated by the Rules and Standing Orders of the managements, the industrial adjudicative authorities are not controlled by any such Rules or Standing Orders. The adjudicative authorities impose punishments by reference to the paramount consideration

Shahdol (M.P.) and their workman Shri Vijay Singh, Badli Mazdoor of Birsinghpur Colliery P.O. Birsinghpur Pali, Distt. Shahdol (M.P.).

APPEARANCES :

For Management—Sri P. S. Nair, Advocate.

For Workmen—Sri G. C. Jaiswal.

INDUSTRY : Coal Mines DISTRICT : Shahdol (M.P.)

AWARD

This is a reference made by the Government of India in the Ministry of Labour vide its order No. L-22012(5)/77-D-IV(B) dated 26-8-1977, for adjudication of the following industrial dispute :

"Whether the action of the Management of Birsinghpur Colliery of Western Coal Fields Ltd., District Shahdol, in stopping Shri Vijay Singh, Badli Mazdoor of Birsinghpur Colliery from work vide letter No. BRS/96/4004 dated 30-10-1976 is justified ? If not to what relief is the concerned workman entitled ?"

Following facts constituted the charge of gross misconduct that was levelled against Sri Vijay Singh, Water Spraying Badli Mazdoor in Birsinghpur Colliery.

2. When on 9-2-1976 he completed the spraying of Pit Bottom in No. 35 Landing Sri Ram Gopal in-charge asked him to go to development district for fitting hand pump in 51 Dip/61L face which was full of water. He refused to do the work. Sri Ram Gopal then sent him to Sri Mahipal Singh, General Shift Overman of Development Section, who asked him to do at least stone dusting but he refused to do even that work and left the section at about 11.00 A.M. Next day no work was allotted to him. He made complaints and asked for duty from Sri P. K. Singhai, Assistant Manager, who was standing outside his office. After some talk he is alleged to have given a shoe beating to Shri P. K. Singhai, Assistant Manager, and further slapped him on the face. Shri N. P. Gupta, Safety Officer, Birsinghpur Colliery, conducted the enquiry on that charge. On the basis of his report the appointing authority held that the charge was proved against him and by way of punishment stopped him from work.

3. This Tribunal held vide order dated 22nd April 1978 that the domestic enquiry was properly held, proper opportunity to defend was given to the delinquent and the findings of the enquiry officer were not perverse. The facts constituting the charge were fully proved.

4. Even though the parties did not raise the question of reasonableness of quantum of sentence yet that issue was framed because even otherwise this Tribunal has jurisdiction to examine the quantum aspect. Neither side alleged or produced any evidence of extenuating or aggravating circumstance. To give shoe beating to an Assistant Manager and slap him on the face on the work sight is an act of grossest misconduct which should call for the highest penalty of dismissal from service. I therefore see no reasonable ground for interfering with the punishment. The Award is given accordingly.

Jabalpur, May, 30th 1978

S. N. JOHRI, Presiding Officer

[L-22012(5)/77-D-IV(B)]

New Delhi, the 12th June, 1978

S.O. 1821.—In pursuance of Section 17 of the Industrial Disputes Act, 1947, (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Jabalpur in the industrial dispute between the employers in relation to the management of New Chirimiri Ponri Hill Colliery, Post Office, Chirimiri, District Surguja and their workmen which was received by the Central Government on 9th June, 1978.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL— CUM-LABOUR COURT JABALPUR (M.P.)

PRESENT

Shri S. N. Johri, B.Sc., LL.M. Presiding Officer.

Case No. CGIT/LC(R)(19)/1977

PARTIES :

Employers in relation to the management of New Chirimiri Ponri Hill Colliery, Post Office, Chirimiri, District Surguja (M.P.) and their Workmen represented through the President, M. P. Koyala Mazdoor Panchayat, P. O. Kurasia, District Surguja (M.P.).

APPEARANCES :

For Union—Shri Hardeo Singh.

For Management—Shri B. K. Sinha, Personnel Officer and Shri Dhar.

INDUSTRY : Coal Mines DISTRICT : Surguja (M.P.)

AWARD

This is a reference made by the Government of India in the Ministry of Labour vide its Order No. 22012(10)/76-D.III(B)/D-IV(B) Dated 26th October, 1977, for the adjudication of the following industrial dispute with respect to the contract labourers named in the Annexure to this award :

"Whether the demand of the Union for payment of wages to the mine car loaders mentioned in the Annexure, of New Chirimiri Ponri Hill Colliery of CIL, Post Office Chirimiri District Surguja, at the rate prescribed for staking and truck loading etc., in the National Coal Wage Agreement with effect from 1-1-1975 is justified ? If not, to what benefit are the said mine car loaders entitled ?"

2. It is not disputed that these labourers were employed by the Contractor, Shri Naha Roy, who was employed to do the job of transporting the coal from Seam No. 1. The process as explained by the then Asstt. Manager, Shri N. S. Shiledar, was that from the Seam No. 1 the coal was transported in dumpers. When the wagons were not available the dumpers dumped the coal by the side of the rail track meant for mine cars (tubs). These contract labourers loaded the mine cars by shovalling operation. The mine cars then trammed to the Tippler where they were unloaded. The Tippler by an automatic process loaded the wagons.

3. The case of the Union is that this loading of the mine cars, tramping then to tippler point and unloading them there or staking, was done by these contract labourers. According to National Coal Wage Agreement on the analogy of truck loading and staking rates prescribed thereunder, they should have been paid @ Rs. 9.45 per mine car of 100 Cft, i.e. 2.5 tonnes, while the contractor paid them @Rs. 4.15 i.e. Rs. 5.29 less per tub. The workers were retrenched on 7-5-1975. The Union therefore claims difference of wages @Rs. 5.29 per tub from 1-1-1975 to 7-5-1975 according to the number of tubs loaded trammed and unloaded for staking.

4. The contractor, Shri Naha Roy, was added as a party to the reference but he did not file any written statement. The case therefore proceeded ex parte against him.

5. The management of New Chirimiri Ponri Hill Colliery filed a reply denying that these contract labourers were workmen under Industrial Disputes Act. There was no employer-employee relationship between it and these workers. There was no occasion for a dispute between them and the reference is bad on that account. They did not avail of the remedies open to them under Contract Labour Act nor raised any voice till the contract was subsisting. The Union had no representative capacity and no resolution for raising such a dispute was ever passed. The workmen were not the member of the Union. No demand was made with the management and whatever demand was raised before the Asstt.

Labour Commissioner was altogether different from the demand incorporated in the order of reference.

6. Unrebutted evidence of the Union proves that about more than 50 per cent workers of the Coliery including those contract labourers were the members of the Union in terms of its constitution. The Union had in fact passed a resolution for raising this dispute though the constitution empowers the President to raise any such dispute. The objections of the management on these points have thus no force.

7. So far as the objection of absents of employer employee relationship between these workmen and the management of New Chirmiri Ponri Hill Colliery is concerned the evidence goes to show that the contract was for doing a specific job or for producing a given result. The labourers recruited by the contractor. They were paid by him and the work was allotted to them by the contractor. Only he had the administrative control over them. Thus they were the contractor's employees.

8. The management cannot however escape liability simply because they were the employees of the contractor. S. 21 (4) of the contract labour (Regulation and Abolition) Act 1970 runs as follows :—

"In case the contractor fails to make payment of wages within the prescribed period or makes short payment, then the Principal employer shall be liable to make payment of wages in full or the unpaid balance due, as the case may be to the contract labour employed by the contractor and recover the amount so paid from the contractor either by deduction from any amount payable to the contractor under any contract or as a debt payable by the contractor."

This Sub-section exhibits the anxiety of the legislature to provide maximum security of wages to the contract labour. It incorporates a principal which is akin to subrogation. By providing that the default of the contractor makes the management directly liable for proper payment of the wages or unpaid balance as the case may be, it thereby creates a fictional direct relationship of employer and employee for that limited purpose of wages. These labourers thus become fictional 'workman' within the meaning of S. 2(s) of Industrial Disputes Act. They are the members of the Union. Therefore the Union is entitled to raise industrial dispute about rate of wages on their behalf.

9. The delay in raising the dispute is not of much consequence. Shri Hardeo Singh said that the dispute could not be raised till the contract was subsisting as the workers were scared of him and apprehended termination of employment against which no social security was provided by any law. Sub-S (4) of S. 21 of Contract Labour Act authorites, the principal employer to deduct the amount which it is so required to pay to contract labourers by way of wages or arrears etc. It further provides that the same can as well be recover from the contractor as 'debt'. The former situation envisages raising of the dispute either during the subsistence of the contract or before the refund or security while the later provision authorising it to realise the amount as debt envisages raising of the dispute even after the refund of security deposits etc. by the contractor. Thus the provisions of Sub-Sec. (4) of S. 21 does envisage and approve or condono the delay in raising the industrial dispute by or on behalf of the contract labourers. The delay has thus no fatal consequences on the validity and unavailability of the reference.

10. Union did raise the dispute with the management as Shri Hardeo Singh did address a letter to the Area General Manager. In any case the dispute was raised before the Asstt. Labour Commissioner in which management participated and denied the demand without raising any such plea. The management is thus estopped from denying that no dispute was raised before it. In any case by the denial of the management to concede the demands before Asstt. Labour Commissioner, an industrial dispute did come into existence before the reference was made. The plea of reference being invalid on this count has thus no force. There is no evidence that the dispute raised before the management or Asstt. Labour Commissioner was different to the dispute referred to this Tribunal.

11. After rejecting the legal pleas so raised by the management the factual position about nature and quantum of work will have to be assessed for determining the rate at which the payment should have been made. So far as the nature of work is concerned Shri N. S. Shrivastava (M.W. 1) Assistant Manager of New Chirmiri Ponri Hill Colliery has given a graphic picture. According to him the tubs were only 3½ ft. in height. The coal staked by the dumper by rail siding was to be loaded by these workmen in the mine car (tubs) by shovelling process. This was the only duty performed by these contract labourers. The tranning of the mine cars unloaded this into the tippler by an automatic process. No manual labour was required for that purpose. This work of loading the mine cars by shovelling process was very different from the work of loading the truck or staking the coal. In truck loading process the coal has to be taken on head load from the coal heaps to the point where the truck stands ready to receive the same. The height of the truck is about 8 Ft. from the ground and, therefore, a wooden plank is placed right from the ground to the truck body for enabling the workmen to ride on it and reach the top of the truck. This wooden plank is called chally. After ascending that height on the chally the head load had to be discharged in the truck body where another person makes it uniform for proper loading. These head load baskets are filled with the coal at the coal heap point by another workman. Thus in that process of truck loading three workmen are involved. The distance travelled is different and the height is much more comparatively. The height of about 8 Ft. has to be ascended on the chally and there the head load has to be discharged. All this process is absolutely wanting in loading the mine cars by more shovelling process.

12. However, even though the two processes are materially different yet in my opinion the amount of labour involved is not very different in the two cases. If the labourer in the case of mine car loading has not to travel a distance with a head load or has not to ascend a chally, his hand would be constantly busy in shovelling the coal into the mine car. The process of shovelling will be more frequent rather continuous and may even tire out the labourer. Thus whether head and feet are involved or the hands are involved it makes little difference so far as the manual labour is concerned. It is a manual labour that is required to be remunerated in terms of money and I think the manual loading process whether it is of truck or of mine car, whether three persons are involved in the process or one workman has to do it by continuous efforts which may tire him out, should not mean much difference so far as the wages are concerned.

13. However, let us forget the analogy for the time being and advert to paragraph 41, Section C, Chapter VIII, page 71, Volume I of the Wage Board recommendations for a more apt analogy. That paragraph may be reproduced as under :

"It was brought to our notice that in queries there is also a system by which labourers are asked to load while dressing is done by other time or piece rated dressers. We would call this category of workmen quarry labourers. It is clearly understood that their duty is to load coal into tubs only. We would place this category also in Group IV and its workload should be slightly higher than that of an underground labourer and we would fix 2-1/3 tubs of 36 cft. each i.e. 84 cft."

Both quarry loaders and these contract labourers loaded the mine cars. May be that some times the quarry loaders may be required to negotiate a small distance with a head load for reaching the mine car from the point where dressing is done but the work as defined does not take that aspect into consideration. Their duty was only to load the mine car and that too of only 84 cft while the duty of these contract labourers was to load the mine car of 100 cft. This difference in the capacity of tub may well cut across the small distance if any the quarry loaders were required to travel from dressing point to the car. On the basis of this apt analogy these contract labourers should be paid wages as are paid to the quarry loaders.

14. The quarry loaders are placed in Group IV and from 1-1-1975 under National Coal Wage Agreement their corresponding wage is Rs. 11.59. As against that the Union claims

only the corresponding wage of group III. More than the claimed wage difference cannot be allowed. Hence it is just that the Management should pay the difference @ Rs. 5.29 claimed by the Union.

15. The Management is thus duty bound under Section 21(4) of the Contract Labour (Regulation and Abolition) Act, 1970 to pay at least the claimed difference of Rs. 5.29 per mine car to these contract labourers according to the number of tubs they loaded on each particular day, the account of which is admittedly with the Management. The Award is given accordingly.

ANNEXURE

(Case No. CGIT/LC/(R)(19)/1977)

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL- CUM-LABOUR COURT, JABALPUR (M.P.)

List showing the names of Mine Car Loaders of New Chirimiri Ponri Hill Colliery of C.I.L., Post Office Chirimiri District Surguja (M.P.) mentioned in Government of India, Ministry of Labour, New Delhi order No. L-22012(10)/76-D-III(B)/D-IV(B) dated the 26th October, 1977.

1. Sri Jangal Sai
2. Sri Matukdhari
3. Sri Karmoo Ram
4. Sri Ramdharl
5. Sri Lachhmi
6. Sri Moharsai
7. Sri Goumtu
8. Sri Rai Singh
9. Smt. Shanti
10. Smt. Pearo Bai
11. Smt. Muneshari
12. Smt. Man Bai-I
13. Smt. Man Bai-II
14. Smt. Man Kaur
15. Smt. Gedi-I
16. Smt. Fulbasia
17. Smt. Gedi
18. Sri Jujhar Singh
19. Sri Gageshar
20. Sri Bahadur
21. Sri Fulsharl
22. Sri Gurbari
23. Sri Falshari-II
24. Sri. Sobhani
25. Sri. Makhan
26. Sri Amor Sal

S. N. JOHRI, Presiding Officer

1-6-1978

[L-22012(10)/76-D. III (B)/D. IV (B)]

BHUPENDRA NATH, Desk Officer

नई दिल्ली, 12 जून, 1978

कां.आं. 1822.—केन्द्रीय सरकार ने कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 8 के खण्ड (ख) के अनुसरण में, श्री एस. वासुदेवन के स्थान पर श्री एन. के. पण्डा, संयुक्त सचिव, भारत सरकार, वित्त मंत्रालय को कर्मचारी राज्य बीमा निगम की स्थायी समिति के सदस्य के रूप में नामनिर्दिष्ट किया है ;

अतः अब, केन्द्रीय सरकार कर्मचारी राज्य बीमा अधिनियम 1948 (1948 का 34) की धारा 8 के अनुसरण में भारत सरकार के अर्थ मंत्रालय को अधिसूचना संख्या कां.आं. 477(क) तारीख 16 जुलाई, 1976 में निम्नलिखित संशोधन करती है, अर्थात्—

उक्त अधिसूचना में [केन्द्रीय सरकार द्वारा धारा 8 के खण्ड (ख) के अधीन नामनिर्दिष्ट] शीर्षक के नीचे भू 4 के सामने की प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जावेगी, अर्थात्—

“श्री एन.के. पण्डा,
संयुक्त सचिव,
भारत सरकार,
वित्त मंत्रालय,
नई दिल्ली।”

[यू. 16012(10)/76-एच. भाई.]

एस. एस. सहस्रनामान, उप सचिव

New Delhi, the 12th June, 1978

S.O. 1822.—Whereas the Central Government has, in pursuance of clause (b) of section 8 of the Employees' State Insurance Act, 1948 (34 of 1948) nominated Shri N. K. Panda, Joint Secretary to the Government of India, Ministry of Finance, as a member of the Standing Committee of the Employees' State Insurance Corporation, in place of Shri S. Vasudevan.

Now, therefore, in pursuance of section 8 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Labour No. S.O. 477(E), dated the 16th July, 1976, namely :—

In the said notification under the heading “[Nominated by the Central Government under clause (b) of section 8]”, for the entry against item 4, the following entry shall be substituted, namely :—

“Shri N. K. Panda, Joint Secretary to the Government of India, Ministry of Finance, New Delhi.

[No. U-16012(10)/76-H.I.]

S. S. SAHASRANAMAN, Dy. Secy.

नई दिल्ली, 14 जून, 1978

कां.आं. 1823.—केन्द्रीय सरकार, न्यूनतम मजदूरी अधिनियम, 1948 (1948 का 11) की धारा 27 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम की अनुसूची के भाग 1 में स्फटीयाश्म (फेल्स-पार) खानों में नियोजन को जोड़ती है जिसके आशय की सूचना, भारत सरकार के अर्थ मंत्रालय की, तारीख 12 नवम्बर, 1977 के राज-पत्र में प्रकाशित अधिसूचना सं. कां.आं. 3508 तारीख 25 अक्टूबर, 1977 द्वारा, पहले ही की जा चुकी है।

[फा. सं. एस. 32019(21)/76-डब्ल्यू सी (एम डब्ल्यू)]

हंस राज छहब्रा, उप सचिव

New Delhi, the 14th June, 1978

S.O. 1823.—In exercise of the powers conferred by section 27 of the Minimum Wages Act, 1948 (11 of 1948), the Central Government hereby adds to Part I of the Schedule to that Act, the employment in felspar mines, notice of its intention to do so having already been given by the notification of Government of India in the Ministry of Labour No. S. O. 3508, dated the 25th October, 1977 published at page 3943 of the Official Gazette dated 12th November, 1977.

[File No. S-32019(21)/76-WC(MW)]
HANS RAJ CHHABRA, Dy. Secy.

नई दिल्ली, 14 जून 1978

का०आ० 1824.—केन्द्रीय सरकार ने यह समाधान हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (इ) के उपखण्ड (VI) के उपबन्धों के अनुसरण में भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का० आ० 3971 तारीख 9 दिसम्बर, 1977 द्वारा सिक्युरिटी पेपर मिल होशंगाबाद को उक्त अधिनियम के प्रयोजनों के लिए 18 दिसम्बर, 1977 से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था।

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छः मास की और कालावधि के लिए बढ़ाया जाना अपेक्षित है;

अतः, अब, औद्योगिक अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (इ) के उपखण्ड (6) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों को 18 जून, 1978 से छः मास की और कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[सं० एस० 11017/10/78-डी० 1(ए)]

New Delhi, the 14th June, 1978

S.O. 1824.—Whereas the Central Government having been satisfied that the public interest so required had in pursuance of the provisions of sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the notification of the Government of India in the Ministry of Labour No. S. O. 3971 dated the 9th December, 1977, the Security Paper Mill, Hoshangabad, to be public utility service for the purposes of the said Act, for a period of six months from the 18th December, 1977;

And whereas the Central Government is of the opinion that the public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declared the said industry to be a public utility service for the purposes of the said Act for a further period of six months from the 18th June, 1978.

[No. S. 11017/10/78/DI(A)]

का०आ० 1825.—केन्द्रीय सरकार ने यह समाधान हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (इ) के उपखण्ड (VI) के उपबन्धों के अनुसरण में, भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का० आ० 4025 तारीख 13 दिसम्बर, 1977 द्वारा दिल्ली दुग्ध योजना के अधीन दुग्ध प्रवाय उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 22 दिसम्बर, 1977 से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था;

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छः मास की और कालावधि के लिए बढ़ाया जाना अपेक्षित है;

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (इ) के उपखण्ड (VI) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 22 जून, 1978 से छः मास की और कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[सं० एस० 11019/11/78-डी० 1(ए)]

S.O. 1825.—Whereas the Central Government having been satisfied that the public interest so required had in pursuance of the provisions of sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the notification of the Government of India in the Ministry of Labour No. S. O. 4025 dated the 13th December, 1977, the

industry for the supply of milk under the Delhi Milk Scheme to be a public utility service for the purposes of the said Act for a period of six months from the 22nd December, 1977; And whereas the Central Government is of the opinion that the public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declared the said industry to be a public utility service for the purposes of the said Act for a further period of six months from the 22nd June, 1978.

[No. S. 11017/11/78/DI(A)]

का०आ० 1826.—केन्द्रीय सरकार ने यह समाधान हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (इ) के उपखण्ड (VI) के उपबन्धों के अनुसरण में, भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का० आ० 4024 तारीख 13 दिसम्बर, 1977 द्वारा उक्त अधिनियम की धारा 2 के खण्ड (ख) में यथोपरिभाषित बैंकिंग कंपनी द्वारा चलाए जा रहे बैंकिंग उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 29 दिसम्बर, 1977 से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था;

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छः मास की और कालावधि के लिए बढ़ाया जाना अपेक्षित है;

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (इ) के उपखण्ड (VI) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 29 जून, 1978 से छः मास की और कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[सं० एस० 11019/12/78-डी० 1(ए)]

S.O. 1826.—Whereas the Central Government having been satisfied that the public interest so required had in pursuance of the provisions of sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the notification of the Government of India in the Ministry of Labour No. S. O. 4024 dated the 13th December, 1977 the Banking Industry carried on by a banking company as defined in clause (bb) of section 2 of the said Act, to be a public utility service for the purposes of the said Act, for a period of six months from the 29th December, 1977;

And whereas the Central Government is of the opinion that the public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declared the said industry to be a public utility service for the purposes of the said Act for a further period of six months from the 29th June, 1978.

[No. S. 11017/12/78/DI(A)]

प्रावेश

नई दिल्ली, 15 जून, 1978

का०आ० 1827.—भारत सरकार के भूतपूर्व श्रम और पुनर्वास मंत्रालय की अधिसूचना का० आ० संख्या 456 दिनांक 5 फरवरी, 1963 द्वारा गठित श्रम न्यायालय, जिसका मुख्यालय हैदराबाद में स्थित है, के पीठासीन अधिकारी का पद रिक्त हो गया है;

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 8 के उपबन्धों के अनुसरण में केन्द्रीय सरकार श्री के० पद्मनाभ

गोठ को पूर्वोक्त गठित श्रम न्यायालय का पीठासीन अधिकारी नियुक्त करती है।

[सं० एस० 11020/5/78-डी० 1(ii)]

एल० के० नारायणन, जैल्स अधिकारी

ORDER

New Delhi, the 15th June, 1978

S.O. 1827.—Whereas a vacancy has occurred in the Office of the Presiding Officer of the Labour Court with headquarters at Hyderabad constituted by the notification of the Government of India in the late Ministry of Labour and Employment No. S. O. 456 dated the 5th February, 1963;

Now therefore, in pursuance of the provisions of section 8 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby appoints Shri K. Padmanabha Goud as the Presiding Officer of the Labour Court constituted as aforesaid.

[No. S. 11020/5/78/DI(A)]

L. K. NARAYANAN, Desk Officer

New Delhi, the 13th June, 1978

S.O. 1828.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Madras in the industrial dispute between the employers in relation to the management of M/s. Dalmia Cement (Bharat) Ltd., Dalmiapuram and their workmen, which was received by the Central Government on 26-5-78.

BEFORE THIRU K. SELVARATNAM, B.A., B.L.,
INDUSTRIAL TRIBUNAL, MADRAS

(Constituted by the Central Government)

Madras, the 27th April, 1978

Industrial Dispute No. 32 of 1977

(In the matter of the dispute for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947 between the workmen and the Management of M/s. Dalmia Cement (Bharat) Limited, Dalmiapuram).

BETWEEN

The workmen, represented by

The General Secretary,
Dalmia Cement National Workers' Union,
Dalmiapuram, Tiruchirapalli District.

AND

M/s. Dalmia Cement (Bharat) Limited, Dalmiapuram,
Tiruchirapalli District.

REFERENCE:

Order No. L. 29012/13/77-D. III(B), dated 2-6-1977 of the Ministry of Labour, Government of India, New Delhi.

This dispute coming on this day for hearing upon perusing the reference and all other material papers on record and upon hearing of Thiru I. M. Moynuddin, General Secretary of the Union and of Thiruvallargal M. R. Narayanaswami and S. Jayaraman, advocates for the Management and memorandum settling the dispute having been received from the union and recording the same, this Tribunal made the following.

AWARD

This is a reference by the Government of India under Section 10(1) of the Industrial Disputes Act, 1947 for adjudication of the disputes between the Management of Dalmia Cement (Bharat) Limited, Dalmiapuram and their workmen in the matter of non-employment.

(2) The reference is as follows:—

"Whether the Management of Dalmia Cement (Bharat) Limited, Dalmiapuram was justified in dismissing the following workmen viz. (i) Sri M. Natarajan, T. No. 192; (ii) Shri M. Ramaswamy, T. No. 5; (iii) Shri Keeranur Periaswamy, T. No. 11; (iv) Shri Chin-nakampatty Ramaswamy, T. No. 29 and (v) Shri R. Natchimuthu, T. No. 521 from service with effect from 12th October, 1976?

If not to what relief the said workmen are entitled to?"

(3) No Claim Statement was filed by the workmen who initiated the reference. When the matter came up for enquiry on 27-4-1978 the General Secretary of the Union who was present before this Tribunal represented that all the five workmen were reinstated and the matter was settled. The management of the Dalmia Cements (Bharat) Ltd. filed a letter stating that the matter had already been settled out of court and the workers concerned had also been reinstated in service with effect from 1-10-1977.

(4) In view of the fact that the matter had been settled and the workers had been reinstated in service, no relief is granted under the reference. The reference is closed.

Dated, the 27th day of April, 1978.

K. SELVARATNAM, Presiding Officer

[No. L-29012/13/77-D. III(B)]

प्रदेश

नई दिल्ली, 15 जून, 1978

का०आ० 1829.—केन्द्रीय सरकार की राय है कि इससे उपाख्य अनुसूची में विनिर्दिष्ट विषयों के बारे में मैसूर सीमेंट्स लिमिटेड, अमासन्द्रा के प्रबंधसंज्ञ से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच एक औद्योगिक विवाद विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करता वांछनीय समझती है।

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7क और धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एक औद्योगिक अधिकरण गठित करती है, जिसके पीठासीन अधिकारी श्री एस० एल० एफ० ऐलवरस होंगे, जिनका मुख्यालय बंगलूर में होगा और उक्त विवाद को उक्त औद्योगिक अधिकरण को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

"क्या मैसूर सीमेंट्स एम्पलाइज एसोसियेशन की मैसूर सीमेंट लि० की खानों में (क) लाइम स्टोन होने और तोड़ने के लिए सामान्य कार्य-भार का पुनर्नियतन (ख) सामान्य कार्यभार ऊपर वर्णित (क) के अनुसार न्यूनतम गारंटीड मजदूरी का नियतन की मांगें न्यायोचित हैं? यदि नहीं, तो उक्त कर्मकार किस अनुतोष के अधिकारी हैं और किस तारीख से?"

[सं० एल० 29011/11/77-डी० आ० बी०]

ORDER

New Delhi, the 15th June, 1978

S.O. 1829.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Mysore Cements Ltd., Ammasandra and their workmen in respect of the matter specified in the Schedule hereto annexed;

And Whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by Section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which

Shri S. L. F. Alveres shall be the Presiding Officer, with headquarters at Bangalore and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

"Whether the demands of the Mysore Cements Employees' Association for (a) Re-fixation of the norms of work-loads for breaking and loading of Limestone and (b) fixation of Minimum guaranteed wages, based on the norms of the work-load as per (a) above, in the quarries of Mysore Cements Ltd. are justified? If not, to what relief are the workmen entitled and from which date?"

[No. L-29011/11/77-D.III.B.]

भाषा

का० आ० 1830—केन्द्रीय सरकार की राय है कि इससे उपाबद्ध धनुषी में विनिविष्ट विषयों के बारे में मैसर्स डालमिया सीमेंट (भारत) लिमिटेड, डालमियापुरम के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारियों के बीच एक औद्योगिक विवाद विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद को व्यापनिर्णयन के लिए निर्देशित करना बांछनीय समझती है।

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7क और धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रबल शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एक औद्योगिक अधि-करण गठित करती है, जिसके पीठासीन अधिकारी श्री के० सेल्वारत्नम होंगे, जिनका मुख्यालय मद्रास में होगा और उक्त विवाद को उक्त औद्योगिक अधि-करण को व्यापनिर्णयन के लिए निर्देशित करती है।

धनुषी

"क्या सर्वे श्री एम० देवासगयम, पी० थियागराजन, के० राजी और ए० धमालवास, क्रेशर मिस्त्रीयो को डालमिया सीमेंट (भारत) लिमिटेड, डालमियापुरम में ग्रेड IV में लगाने की डालमिया सीमेंट नेशनल वर्क्स युनियन, डालमियापुरम की मांग व्याप्योचित है? यदि नहीं, तो संबंधित कर्मकार किस धनुषी के अधिकारी हैं?"

[सं० एच० 29011/15/78-डी III की]

ORDER

S.O. 1830.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Management of M/s. Dalmia Cement (Bharat) Limited, Dalmiapuram and their workmen in respect of the matters specified in the Schedule hereto annexed;

And Whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, Therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal with Shri K. Selvaratnam as Presiding Officer with Headquarters at Madras and refers the said dispute for adjudication to the said Industrial Tribunal.

SCHEDULE

"Whether the demand of the Dalmia Cement National Workers Union, Dalmiapuram for placing S/Shri M. Devasagayam, P. Thiagarajan, K. Rajy and A. Amaldoss, Crusher Maistries in the Dalmia Cement (Bharat) Limited, Dalmiapuram in Gr. IV is justified?" If not, to what relief the concerned workmen are entitled?"

[No. L-29011/15/78-D.III.B]

S.O. 1831.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Jabalpur in the Industrial dispute between the employers in relation to the management of Diamond Mining Project, Panna and their workmen, which was received by the Central Government on the 6-6-78.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT, JABALPUR (M.P.)

Case No. CGIT/LC(R)(21)/1978.

PARTIES :

Employers in relation to the Management of Diamond Mining Project, Panna and their workmen represented by Panna Hira Khadan Mazdoor Sangh, N. M. D. C. Colony, Panna (M.P.).

APPEARANCES :

For Union.—Shri D. S. Tiwari, General Secretary.

For Management.—Shri S. K. Rao, Advocate.

INDUSTRY : Diamond Mine. DISTRICT : Panna (M.P.)

Dated May 29, 1978

AWARD

This is a reference made by the Government of India in the Ministry of Labour vide its order No. I-29025/77-D. III.B. Dated 1-5-1978 for adjudication of the following dispute by this Tribunal :

"Whether the action of the Management of National Mineral Development Corporation Ltd., in transferring Shri D. S. Tiwari, Accounts Assistant, vide order No. MIR/Misc/76 dated 8-11-76 from Panna to Kumarwamy is justified? If not to what relief the employee is entitled?"

2. Parties arrived at a settlement on 27th May, 1978 after the reference was made and after the notice was issued to them fixing this day for filing written statement. Mainly the dispute was about the transfer of the General Secretary, Shri D. S. Tiwari, which order has been revised and cancelled by the management in terms of the settlement. There is thus no dispute left between the parties. The terms of the settlement are verified. Award is given accordingly. The settlement shall form part of the award.

S. N. JOHRI, Presiding Officer.

FORM-H

[See Rule 58 of the Industrial Disputes (Central) Rules, 1957].

MEMORANDUM OF SETTLEMENT

Name of Parties :

(a) Representing Employer (National Mineral Development Corporation Limited).

1. Shri P. L. Jadia, Project Manager, Diamond Mining Project, National Mineral Development Corporation Limited, Panna (M. P.).

2. Shri K. V. Rao, Dy. Financial Adviser, Diamond Mining Project, National Mineral Development Corporation Limited, Panna (M. P.).

3. Shri T. Sudarsanam, Asstt. Personnel Manager, Diamond Mining Project, National Mineral Development Corporation Limited, Panna (M. P.).

(b) Representatives of Panna Heera Khadan Mazdoor Sangh, Ramkheria, Panna (M. P.).

1. Shri D. S. Tiwari, General Secretary.

2. Shri Bhopal Singh, Organising Secretary.

3. Shri K. G. K. Nair, Treasurer.

Short Recital of the Case :

Shri D. S. Tiwari, Assistant (Accounts), Diamond Mining Project, Panna had been transferred to Kumaraswamy Iron

Ore Investigation vide Assistant Personnel Manager, National Mineral Development Corporation Limited, Hyderabad's office order no. MIR/Misc/76, dt. 8th November, 1976. Shri Tiwari had been relieved of his duties from Panna Project on the afternoon of 17th November, 1976. Subsequently Shri D. S. Tiwari had also drawn transfer TA/DA amounting to Rs. 4375 (Rupees four thousand three hundred seventy five only) for himself and his family for going to Kumaraswamy, on 18th November, 1976.

Subsequently the Panna Heera Khadan Mazdoor Sangh, Ramkheria raised an industrial dispute over the transfer of Shri D. S. Tiwari to Kumaraswamy alleging victimization vide their letter no. 1897 dt. 7th December, 1976 addressed to the Regional Labour Commissioner (Central), Jabalpur. On the industrial dispute raised by the Panna Heera Khadan Mazdoor Sangh, Ramkheria, the Assistant Labour Commissioner (Central), Jabalpur had seized this matter in joint discussions which was followed by a conciliation between the management of Diamond Mining Project, National Mineral Development Corporation Limited, Panna, and National Mineral Development Corporation Limited, Hyderabad and the representatives of Panna Heera Khadan Mazdoor Sangh, Ramkheria. The conciliation taken by the Assistant Labour Commissioner (Central), Jabalpur on the industrial dispute raised by Panna Heera Khadan Mazdoor Sangh, Ramkheria over the alleged victimisation had ended in a failure. The Assistant Labour Commissioner (Central) Jabalpur has submitted his failure of conciliation report to the Secretary to Government of India, Ministry of Labour, New Delhi vide his letter no. J-5 (2)/77-ALC, dt. 29th October, 1977. Subsequently, Shri D. S. Tiwari has made a representation to the Managing Director, National Mineral Development Corporation Limited, Hyderabad on 17-4-1978 for cancellation of his transfer orders on humanitarian considerations. Following this, the matter has been discussed by the representatives of the management of Diamond Mining Project, National Mineral Development Corporation Limited, Panna on its own behalf and on behalf of National Mineral Development Corporation Limited, Hyderabad with the representatives of Panna Heera Khadan Mazdoor Sangh, Ramkheria. In the meantime, the following Industrial Dispute has been referred to the Central Government Industrial Tribunal, Jabalpur for adjudication vide order no. L. 29025/77 D. III. B., dt. 1-5-1978 from the Ministry of Labour, Government of India, New Delhi.

"Whether the action of the Management of National Mineral Development Corporation Limited, in transferring Shri D. S. Tiwari, Accounts Assistant vide order no. MIR/Misc/76, dt. 8-11-76 from Panna to Kumaraswamy is justified? If not to what relief the employee is entitled?"

After a great deal of discussions between the representatives of the management of Diamond Mining Project, National Mineral Development Corporation and the representatives of Panna Heera Khadan Mazdoor Sangh, Ramkheria which commenced before the dispute has been referred for adjudication, the following settlement has been arrived at to the mutual satisfaction of both the parties, today the 27th May, 1978.

TERMS OF SETTLEMENT :

It has been agreed by the parties to the dispute that—

- (i) The orders of transfer issued to Shri D. S. Tiwari vide National Mineral Development Corporation Limited, Hyderabad's office order no. MIR/Misc/76, dt. 8th November, 1976 will stand cancelled on the date he reports for duty at Diamond Mining Project, Panna.
- (ii) Shri D. S. Tiwari, would be allowed to join duties at Panna as an Assistant (Accounts) in Finance Department which was the post held by him prior to his transfer.
- (iii) Shri Tiwari, has expressed his unreserved regrets to the management of National Mineral Development Corporation.
- (iv) Absence from 18th November, 1976 till he reports for duty in Finance Department, Diamond Mining Project, Panna, will be regulated duly adjusting

the leave at his credit as on 17-11-1976 (afternoon), as under :—

- (a) 18-11-1976 to 18-1-1977—Earned leave with full pay.
- (b) 19-1-1977 to 4-3-1977—Half pay leave.
- (c) 5-3-1977 till the date of his joining in Panna Diamond Mining Project in terms of this settlement—Extraordinary leave without pay.
- (v) Shri Tiwari would refund full amount of transfer TA and DA drawn by him for himself and his family amounting to Rs. 4,375 (Rupees four thousand three hundred and seventy five only) drawn at the time of his transfer to Kumaraswamy, in number of equal instalments as decided by the management commencing from the salary of the month in which he joins in terms of this settlement.
- (vi) The said industrial dispute which is raised by the Panna Heera Khadan Mazdoor Sangh, Ramkheria will thus stand withdrawn in so far as the parties to the dispute are concerned as the matter has been fully and finally settled to the mutual satisfaction of both the parties to the settlement.
- (vii) The parties to the dispute will file this settlement before the Honourable Central Government Industrial Tribunal, Jabalpur and a prayer will be made to give an award in terms of this settlement dated 27th May, 1978.
- (viii) Both the parties will also send copies of this settlement to the Secretary to Government of India, Ministry of Labour, New Delhi, the Chief Labour Commissioner (Central), New Delhi, the Regional Labour Commissioner (Central), Jabalpur and the Assistant Labour Commissioner (Central), Jabalpur.
- (xi) Both the parties further agree that Shri D. S. Tiwari will be taken on duty at Panna Diamond Mining Project immediately after the award is given by the Honourable Central Government Industrial Tribunal, Jabalpur.

Representatives of Diamond Mining Projects, National Mineral Development Corporation Limited.

Sd/-

(P. L. Jadla)
Project Manager.

Sd/-

(K. Vithal Rao)
Dy. Financial Adviser.

Sd/-

(T. Sudarsanam)
Assistant Personnel Manager.

Representatives of Panna Heera Khadan Mazdoor Sangh, Ramkheria.

Sd/-

(D. S. Tiwari)
General Secretary.

Sd/-

(Bhopal Singh)
Organising Secretary.

Sd/-

(K. G. K. Nair)
Treasurer.

WITNESSES :

1. Sd/- (L. R. Thareja)
Section Officer (I.R.)
N.M.D.C. Ltd.,
Hyderabad.

2. Sd/- (N. P. Rao)
Section Officer
Diamond Mining Project ;
N.M.D.C. Limited,
Panna (M.P.).
Panna,

Dated 27th May, 1978.

S. N. JOHRI, Presiding Officer
[No. L-29025/77-D.III.B]

JAGDISH PRASAD, Under Secy.

29-5-1978

नई दिल्ली, 15 जून, 1978

का० आ० 1832.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेस श्रीमुद्रण, 40 शिवनारायण दास लेन, कलकत्ता-6, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 जनवरी, 1977 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35017(15)/78-पी० एफ० II]

New Delhi, the 15th June, 1978

S.O. 1832.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Sreemudran, 40, Shibnarayan Das Lane, Calcutta-6 have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of January, 1977.

[No. S. 35017(15)/78-PF-II]

का० आ० 1833.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेस इण्डस्ट्रियल इक्वीपमेंट कंपनी, प्लॉट सं० 4, जवाहर कोआपरेटिव इण्डस्ट्रियल एस्टेट लिमिटेड, कमोठ, तालुक पनवेल जिला कोलाबा, जिसमें इसकी खंडाऊ बिल्डिंग 130 जे शंकरपेठ रोड, गरिगांव, मुम्बई-4 स्थित शाखा सम्मिलित है, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए,

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 अप्रैल, 1974 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35018(14)/78-पी० एफ० II]

S.O. 1833.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Industrial Equipment Company, Plot No. 4, Jawahar Cooperative Industrial Estate Limited, Kamothe, Taluk Panvel, District Kolaba including its branch at Khatau Building, 130, J. Shankarsheth Road, Girgaon, Bombay-4, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of April, 1974.

[No. S. 35018(14)/78-PF. II]

266 GI/78—5

का० आ० 1834.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेस दिदेसु केमिकल्स (प्रा०) लिमिटेड, प्लॉट सं० 234-ए, जवाहर कोआपरेटिव इण्डस्ट्रियल एस्टेट, कमोठ पनवेल, जिला कोलाबा जिसमें इसकी (1) जॉली मेकर्स चैम्बर्स सं० 1, सातवीं मंजिल, 68/ए नरीमन प्वाइंट, मुम्बई-21, (2) कैलाशनगर, 658, तारदेव मार्ग, मुम्बई-7 स्थित शाखाएं सम्मिलित हैं, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 मई, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35018(18)/78-पी० एफ० II]

S.O. 1834.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Didesu Chemicals (Private) Limited, Plot No. 234-A, Jawahar Cooperative Industrial Estate, Kamothe Panvel, District Kolaba including its branches at (1) Jolly Maker Chambers No. 1, 6th Floor, 68/A, Nariman Point, Bombay-21, (2) Kailash Nagar, 658, Tardeo Road, Bombay-7, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of May, 1976.

[No. S. 35018(18)/73-PF. II]

का० आ० 1835.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेस बांदेकर ब्रदर्स (प्राइवेट) लिमिटेड, स्वर्ण बांदेकर बिल्डिंग, पोस्ट आफिस बॉक्स सं० 31, वास्कोडिगामा, गोवा, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 अप्रैल, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35018(32)/78-पी० एफ० II]

S.O. 1835.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Bandekar Brothers (Private) Limited, Suvarna Bandekar Building, Post Office Box No. 31, Vasco-da-Gama, Goa, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of April, 1976.

[No. S. 35018(32)/78-PF. II]

क्रा० आ० 1836—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स मादाकेम डैर माइन्स (प्राइवेट) लिमिटेड, मुवर्ण बान्देकर बिल्डिंग, पोस्ट आफिस बॉक्स सं० 31, वास्को-डा-गामा, गोवा, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 अप्रैल, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं० एम० 35018(33)/78-पी० एफ० II]

S.O. 1836.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Madachem Bat Mines (Private) Limited, Suvarna Bandekar Building, Post Office Box No. 31, Vasco-da-Gama, Goa, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of April, 1976.

[No. S. 35018(33)/78-PF. II]

क्रा० आ० 1837—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स कोकण ट्रेडिंग कम्पनी, डा० कोस्टा पेरेरा बिल्डिंग, म्युनिसिपल स्क्वायर, पोस्ट बॉक्स सं० 302, मार्गाओ, गोवा, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 जुलाई, 1975 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35018(34)/78-पी० एफ० II]

S.O. 1837.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Konkani Trading Company, Dr. Costa Pereira's Building, Municipal Square, Post Office Box No. 302, Margao, Goa, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of July, 1975.

[No. S. 35018(34)/78-PF. II]

क्रा० आ० 1838—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स सुपर स्ट्रक्चर (प्राइवेट) लिमिटेड, फटोर्दा, मार्गाओ, गोवा, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर

सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 अक्टूबर, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35018(35)/78-पी० एफ० II]

S.O. 1838.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Super Structures (Private) Limited, Fatorda, Margao, Goa, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of October, 1976.

[No. S. 35018(35)/78-PF. II]

क्रा० आ० 1839—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स आदर्श सहकारी ग्राहक संस्था लिमिटेड, मार्गाओ, गोवा, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 जून, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35018(36)/78-पी० एफ० II]

S.O. 1839.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Adarsh Sahakari Grahak Saunatha Limited, Margao Goa, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of June 1976.

[No. S. 35018(36)/78-PF. II]

क्रा० आ० 1840—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स आपिरिया डॉक एण्ड स्टोर्स कम्पनी (प्राइवेट) लिमिटेड, लक्ष्मी नारायण निवास, म्युनिसिपल मार्केट के सामने, वास्को-डी-गामा, गोवा, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 31 अगस्त, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35018(37)/78-पी० एफ० II]

S.O. 1840.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Shaparia Dock and Steel Company (Private) Limited, Laxminarayan Nivas, Opposite Municipal Market, Vasco-da-Gama, Goa, have agreed that the provisions of the Employees Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty first day of August, 1976.

[No. S. 35018(37)/78-PF. II]

का० आ० 1841.—केन्द्रीय सरकार कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, सम्बन्ध विषय में आवश्यक जाच करने के पश्चात् 31 अगस्त, 1976 से मैसर्स शापरिया डोक एण्ड स्टील कम्पनी (प्राइवेट) लिमिटेड, लक्ष्मी नारायण निवास, म्युनिसिपल मार्केट के सामने, वास्को डा गामा, गोवा, नामक स्थापन को उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है।

[सं० एस० 35018(37)/78-पी० एफ० II(ii)]

S.O. 1841.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the thirty-first day of August, 1976, the establishment known as Messrs. Shaparia Dock and Steel Company (Private) Limited, Laxminarayan Nivas, Opposite Municipal Market, Vasco-da-Gama, Goa, for the purposes of the said proviso.

[No. S. 35018(37)/78-PF. II(ii)]

का० आ० 1842 यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स होल सेल कनजुमर्स कोऑपरेटिव स्टोर लि०, अपना बाजार, शिवपुरी (म० प्र०) जिसमें (1) शिवपुरी (2) पुरानी शिवपुरी, शिवपुरी (3) कमलागंज, शिवपुरी (4) करेरा, शिवपुरी (5) पहाड़ी शिवपुरी (6) बाटानाबार, शिवपुरी (7) कोलारेश, शिवपुरी और (8) पिछोन शिवपुरी, स्थित उसकी शाखाएँ भी हैं, नामक स्थापन से सम्बन्ध निोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए।

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 जुलाई, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35019(28)/78-पी० एफ० II]

S.O. 1842.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs The Whole Sale Consumers' Co-operative Store Limited, Apana Bazar, Shivpuri (Madhya Pradesh) including its branches at (1) Shivpuri, (2) Purani Shivpuri, Shivpuri, (3) Kamalaganj, Shivpuri, (4) Karera, Shivpuri, (5) Pahari, Shivpuri, (6) Batanabar, Shivpuri, (7) Kolarash, Shivpuri and (8) Pichhoni, Shivpuri, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of July, 1976.

[No. S. 35019(28)/78-PF. II]

का० आ० 1843 यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स उड़ीसा काई बोर्ड बाक्स इन्डस्ट्रीज, बी 18, इन्डस्ट्रियल एस्टेट, भुवनेश्वर 10 नामक स्थापन से सम्बन्ध निोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 जनवरी, 1978 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35019(63)/78-पी० एफ० II(i)]

S.O. 1843.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Orissa Card Board Box Industries, B-18, Industrial Estate, Bhubaneswar-10, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of January, 1978.

[No. S. 35019(63)/78-PF. II(ii)]

का० आ० 1844 केन्द्रीय सरकार कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, सम्बन्ध विषय में आवश्यक जाच करने के पश्चात् 1 जनवरी, 1978 से मैसर्स उड़ीसा काई बोर्ड बाक्स इन्डस्ट्रीज, बी-18 इन्डस्ट्रियल एस्टेट, भुवनेश्वर 10, नामक स्थापन को उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है।

[सं० एस० 35019(63)/78 पी० एफ० II(ii)]

S.O. 1844.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the first day of January, 1978 the establishment known as Messrs Orissa Card Board Box Industries, B-18 Industrial Estate, Bhubaneswar-10, for the purposes of the said proviso.

[No. S. 35019(63)/78-PF. II(ii)]

का० आ० 1845 यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स वी रिजनल स्टेशन, केरल लाइव स्टॉक डेवलपमेंट एण्ड मिल्क मार्केटिंग बोर्ड लिमिटेड कुलायुपुजा (केरल लाइव स्टॉक डेवलपमेंट एण्ड मिल्क मार्केटिंग बोर्ड लिमिटेड, रजिस्ट्रीकृत कार्यालय : 9/1148, सस्थापनगलम्, त्रिवेन्द्रम की इकाई) नामक स्थापन से सम्बन्ध निोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध

अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 फरवरी, 1978 को प्रवृत्त हुई समझी जाएगी।

[संख्या एस० 35019 (81)/78-पी० एफ० II(i)]

S.O. 1845.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as The Regional Station, Kerala Livestock Development and Milk Marketing Board Limited, Kulathupuzha (Unit of the Kerala Livestock Development and Milk Marketing Board Limited, Registered Office : 9/1148, Sasthamangalam, Trivandrum), have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of February, 1978.

[No. S. 35019(81)/78-PF. II(i)]

का० आ० 1846 केन्द्रीय सरकार कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, सम्बद्ध विषय में आवश्यक जाँच करने के पश्चात् 1 फरवरी, 1978 से दि रिजनल स्टेशन, केरल लाइव स्टॉक डेवलपमेंट एण्ड मिल्क मार्केटिंग बोर्ड लिमिटेड, कुलाथुपुजा (केरल लाइव स्टॉक डेवलपमेंट एण्ड मिल्क मार्केटिंग बोर्ड लिमिटेड, रजिस्ट्रीकृत कार्यालय: 9/1148 सस्थामंगलम्, त्रिवेन्द्रम की इकाई) नामक स्थापन को उक्त परन्तुक के प्रयोजनों के लिए विनिश्चित करती है।

[सं० एस० 35019(81)/78-पी० एफ० II(ii)]

S.O. 1846.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the first day of February, 1978 the establishment known as The Regional Station, Kerala Livestock Development and Milk Marketing Board Limited, Kulathupuzha (Unit of the Kerala Livestock Development and Milk Marketing Board Limited, Registered Office : 9/1148, Sasthamangalam, Trivandrum), for the purposes of the said proviso.

[No. S. 35019(81)/78-PF-II(ii)]

का० आ० 1847 यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स के०पी० अहमद कुट्टी एण्ड कंपनी, पालीकान्ची मार्ग, काशीकट ग्राम, काशीकट तालुक, काशीकट जिला-3 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 फरवरी, 1978 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35019 (82)/78-पी० एफ०-II]

S.O. 1847.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs K. P. Ahamed Kutty and Company, Pallikandy Road, Calicut Village, Calicut Taluk, Calicut District-3 have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of February, 1978.

[No. S. 35019(82)/78-PF-II]

का० आ० 1848 यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स लिप्रोटैक, 70/58, 11 मुख्य मार्ग, इण्डस्ट्रियल टाउन, राजाजीनगर, बंगलूर-44 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 मार्च, 1978 को प्रवृत्त हुई समझी जाएगी।

[संख्या एस० 35019(83)/78 पी० एफ० II]

S.O. 1848.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Leotech, 70 58, II Main Road, Industrial Town, Rajajinagar, Bangalore-4 have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force of the first day of March, 1978.

[No. S. 35019(85)/78-PF. II]

का० आ० 1849 यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स होटल एक्वेस्ट, बिजीपुर, बेरहामपुर, जिला गंजम, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 जुलाई, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35019 (85)/78 पी० एफ० II]

S.O. 1849.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Hotel Everest, Bizipur, Berhampur, District Ganjam, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of July, 1976.

[No. S. 35019(85)/78-PF. II]

का० आ० 1850 यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेस गुड शेफर्ड हॉस्पिटल सोसाइटी, वायथोरी साउथ वयनाड, कोझिकोड जिला नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 31 मार्च, 1978 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35019 (86)/78-पी०एफ०-II]

S.O. 1850.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Good Shepherd Hospital Society, Vythiri South Wyanad, Kozhikode District, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty first day of March, 1978.

[No. S. 35019(86)/78-PF-II]

का० आ० 1851 यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेस शक्ति मेटल डिपो, बाजार भाग, कोचीन-2, मटनचेरी ग्राम, कांचीन तालुक एर्नाकुलम जिला, जिसमें कलाथ बाजार एर्नाकुलम कोचीन स्थित इसकी शाखा भी सम्मिलित है, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 30 अप्रैल, 1978 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35019(87)/78 पी०एफ०-II]

S.O. 1851.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Sakti Metal Depot, Bazar Road, Cochin-2, Mattancherry Village, Cochin Taluk, Ernakulam, District including its branch at Cloth Bazar, Ernakulam, Cochin, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirtieth day of April, 1978.

[No. S. 35019(87)/78-PF-II]

का० आ० 1852 यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेस टाम्स बेकरी एण्ड स्टोर्स 1/2 व्हीलर रोड, बंगलौर-5, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 मई, 1978 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35019 (88) /78-पी० एफ०-II]

S.O. 1852.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Thom's Bakery and Stores, 1/2, Wheeler Road, Bangalore-5, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of May, 1978.

[No. S. 35019(88)/78-PF-II]

का० आ० 1853 यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेस हैरी इलेक्ट्रानिक्स, जेल रोड, कालीकट-2, केरल नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 अप्रैल, 1978 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35019(89)/78-पी० एफ० II]

S.O. 1853.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Harry Electronics, Jail Road, Calicut-2, Kerala, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of April, 1978.

[No. S. 35019(89)/78-PF-II]

का० आ० 1854 यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेस सूपर प्राटो (इंजिनिया) प्रद्वेट लिमिटेड, प्लॉट संख्या 62, सेक्टर-6, फरीदाबाद, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 मार्च, 1978 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35019(90)/78-पी०एफ०II(i)]

S.O. 1854.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Super Auto (India) Private Limited, Plot No. 62, Sector-6, Faridabad, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment.

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of March, 1978.

[No. S. 35019(90)/78-PF-II(i)]

का० आ० 1855 केन्द्रीय सरकार कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, सम्बन्ध विषय में आवश्यक जाँच करने के पश्चात् 1 मार्च, 1978 से मिसर्स सुपर ऑटो (इण्डिया) प्राइवेट लिमिटेड, प्लॉट सं० 62, सेक्टर-6 फरीदाबाद, नामक स्थापन को उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है।

[सं० एस० 35019 (90)/78 पी०एफ० II.]

S.O. 1855.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the first day of March, 1978 the establishment known as Messrs Super Auto (India) Private Limited, Plot No. 62, Sector-6, Faridabad, for the purposes of the said proviso.

[No. S. 35019(90)/78-PF. II (ii)]

का० आ० 1856 यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मिसर्स सुपर एलाय कास्ट, प्लॉट सं० 62, सेक्टर-6, फरीदाबाद, नामक स्थापन से सम्बन्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 मार्च, 1978 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35019(91)/78-पी०एफ० II (i)]

S.O. 1856.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Super Alloy Cast Plot No. 2, Sector-6, Faridabad, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of March, 1978.

[No. S. 35019(91)/78-PF. II(ii)]

का०आ० 1857 केन्द्रीय सरकार कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, सम्बन्ध विषय में आवश्यक जाँच करने के पश्चात् 1 मार्च, 1978 से मिसर्स

सुपर एलाय कास्ट, प्लॉट सं० 62, सेक्टर-6, फरीदाबाद, नामक स्थापन को उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है।

[सं० एफ० 35019(91)/78-पी०एफ० II(ii)]

एस० एस० सहस्रनामन, उप सचिव

S.O. 1857.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the first day of March, 1978 the establishment known as Messrs Super Alloy Cast, Plot No. 62, Sector 6, Faridabad for the purposes of the said proviso.

[No. S. 35019(91)/78-PF. II (ii)]

S. S. SAHASRANAMAN, Dy. Secy.

New Delhi, the 13th June, 1978

S.O. 1858.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Madras in the industrial dispute between the employers in relation to the management of the Stevedores of Cochin Port and their workmen which was received by the Central Government on the 12th June, 1978.

BEFORE THIRU K. SELVARATNAM, B.A., B.L., INDUSTRIAL TRIBUNAL, MADRAS

(Constituted by the Central Government)

Wednesday, the 24th day of May, 1978

Industrial Dispute No. 71 of 1977

(In the matter of the dispute for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947 between the workmen and the Management of Stevedores of Cochin Port, Cochin).

BETWEEN

The workmen, represented by :

1. The Secretary, Cochin Dock Employees' Association, Door No. 2/100, Calvethy, Cochin-682001.
2. The Secretary, Cochin Thuramugha Thozhilali Union, Mattancherry, Cochin-682002.
3. The General Secretary, Cochin Port Thozhilali Union, INTUC Office, Mattancherry Cochin-682002.

And

1. M/s. Paul Abrao & Sons, Stevedores, Cochin-682003.
2. M/s. South India Corporation (P) Ltd., Stevedores, Cochin-682003.
3. M/s. Achuthan Pillai & Co., Stevedores, Cochin-682003.
4. M/s. B. J. Khona, Stevedores, Cochin-682002.
5. M/s. O. P. Mumm, Stevedores, Cochin-682002.
6. M/s. Poovath Paree & Sons, Stevedores, Cochin-682003.
7. M/s. W. H. D. 'Cruz & Sons, Stevedores, Cochin-682003.
8. M/s. K. B. Jacob & Sons, Stevedores, Cochin-682001.
9. M/s. New Tholera Shipping & Trading & Co., Stevedores Cochin-682002.
10. M/s. C. V. A. Hydros & Son, Stevedore, Cochin-682002.

1. M/s. United 'Stevedores' Association of Cochin (P) Ltd., River Road, Cochin-682001.

REFERENCE :

Order No. L-35011 (3)/77-D. IV (A), dated 2-12-1977 of the Ministry of Labour, Government of India, New Delhi.

This dispute coming on for final hearing on Wednesday, the 10th day of May, 1978 upon perusing the reference, claim and counter statements and all other material papers on record and upon hearing the arguments of Thiruvallargal K. Damadora Gurup and K. A. Abraham, Advocates appearing for Union No. 1 and Thiru P. E. Thomas, Advocate for Union No. 2 and of Thiru P. Kurian for Menon and Pai, Advocates for the Managements and Union No. 3 being absent and this dispute having stood over till this day for consideration, this Tribunal made the following.

AWARD

This is a reference by the Government of India under Section 10(1)(d) of the Industrial Disputes Act, 1947 for adjudication of an Industrial Dispute between the Management of Stevedores of Cochin Port and photo pass casual workers in the matter of wages as recommended by the Wage Revision Committee.

(2) The reference is as follows :

Whether the stevedores of Cochin Port are justified in not granting to the photo pass casual workers the arrears from 1-1-1974 to 31-3-1975 in terms of new wage rates recommended by the Wage Revision Committee as accepted by the Government of India in Resolution No. LWR-20/77-D. II dated the 17th August, 1977 of the Ministry of Shipping and Transport? If not, to what relief are these workmen entitled?

(3) Union No. 1 filed a claim statement, wherein they state as follows : The photo pass casual workers are engaged by the Stevedores Association for the purpose of loading and unloading and discharge of cargo in the Cochin Port. They are employed through the Cochin Dock Labour Board along with the registered workers ever since 1962. When the Dock Workers Regulation of Employment Scheme was implemented in 1962, it was decided on the basis of trade needs that only 1832 workers need be registered out of the total of 3000 workers for regular engagement under the Dock Labour Board. The remaining workers were continued as temporary workers to meet the overflow requirements in the matter of cargo handling. Subsequently in 1972 a seniority list of those non-registered and not decasualised temporary workers were prepared and the total number thus fixed was 365. Though these workers were in service continuously for 15 years, they have not been decasualised though the workload has increased and a number of registered workers retired. The present strength of registered workers is only 750. They are quite inadequate to meet the requirements of the Port. The inadequacy was made good by the photo pass casual workers for the past several years. So far as the wage is concerned, there is no difference. But there is distinction regarding their attendance money, minimum guarantee etc. The Government of India by its resolution dated 17-8-1977 Clause 5, decided to accept the recommendations of the Wage Revision Committee and the Wage Revision Committee recommended in its report for the payment of revised pay scale with effect from 1-1-1974. Under the Recommendation, all the sections of the employees including casuals and temporaries in the Cochin Port were paid their arrears of pay effective from 1-1-1974. Similarly in other Ports also the recommendations were given effect to. But the Management in Cochin Dock Labour Board alone refused to pay the arrears of these workers from 1-1-1974 but restricted the same from 1-4-1975. The workers and the Union protested against this action as it is against the recommendation and the spirit of the agreement made with the federation. The dispute was raised in the Dock Labour Board. Due to unreasonable attitude of the Management in the Cochin Dock Labour Board, a memorandum of demands consisting of decasualisation of listed workers and of pay from 1-1-1974 was submitted before Labour Officer a strike notice on 14-10-1977 was issued by the

Union. The conciliation failed. Hence the matter was referred for adjudication to this Tribunal.

(4) Union No. 2 also filed a claim statement on the same lines as the claim statement of Union No. 1.

(5) Union No. 3 has not filed claim statement.

(6) The Management filed a counter, wherein they contend as follows : There was an award on the basis of a compromise between the labour and the Management in the matter of registration of casual workmen on employing as stevedore labour. As per the Award 1832 casual workmen in the categories of tindals, which drivers, signallers and mazdoors were decasualised and registered in the reserve pool. The compromise award provided that the casual workmen should be provided with work when the registered workers were not available. It was also made clear that they were not entitled to the benefit which is available to the registered workers. As per the Award, a provisional list of casual workers was prepared in 1966 and the strength was fixed at 637. The Board decided to issue photo-passes to all the workers included in the provisional list. The conditions at the Cochin Port changed considerably and as a result, the appointment of dock workers got considerably reduced. As on 1-1-1978, the number of workmen in the various categories, were only 747 registered workers. The other categories on the said date is 234. In place of 637 workmen included in the provisional list of photo-pass holders, the number excluding tally clerks, as on the same date is 376 and there are 18 photo-pass casual tally clerks. There is not enough work even at the present strength. From the period 1-1-1969 until 31-3-1975, the photo-pass casual workers were paid Rs. 8.30 per day. From 1-4-1975, they were placed in the bottom of the scale applicable to mazdoors with no right for increments being casual workers. In addition to the basic pay in the lowest step in the scale, they were given dearness allowance, house-rent allowance, city compensatory allowance and additional dearness allowance at the same rate applicable to the mazdoors in the reserve pool. The interim relief as recommended by the Wage Revision Committee was extended to the photo-pass casual workers from 1-4-1975. In terms of the agreement entered into between the Government of India and the representatives of the workmen and as clarified by the Government of India, the retrospective operation of the recommendations of the Wage Revision Committee as accepted by the Government of India was to be given only from 1-4-1975 being the date from which interim relief was given. Therefore, they are not entitled to payment from 1-1-1974.

(7) ISSUE : The point to be considered is whether the photo-pass casual workers are entitled to new wages from 1-1-1974 to 31-3-1975.

(8) It is admitted by the Management that the recommendations of the Wage Revision Committee were accepted by the Government of India and were given effect to and the wages in respect of photo-pass casual workers also were revised on the basis of the recommendations from 1-4-1975. It is also the admitted case that revised scales had come into force from 1-1-1974 and the recommendations of the Wage Revision Committee were implemented in respect of other categories from 1-1-1974 except this category of workers, viz., photo-pass casual workers. It is to be noted that these photo-pass casual workers are entitled to all benefits just like other categories of workers. But there is discrimination only in respect of photo-pass casual workers over the denial of the revision of wages for the period from 1-1-1974 to 31-3-1975. When the Management had chosen to deny them the revised scales of pay and other benefits as per the recommendations of the Wage Revision Committee, it is the duty of the Management to state reasons for denying the increase in the wages and conferring other benefits. On perusal of the counter, I am not able to see any reason for denying them of the benefit of the wage revision excepting the fact that the photo-pass casual workers were given interim relief from 1-4-1975 onwards only. I am of view that it is not a ground to reject their just demand. The reasoning of the Management is that these categories of persons were not enjoying interim benefit like other categories prior

to 1-4-1975. Such a ground is untenable, for, we find that the time rate of Rs. 8.30 was fixed in 1970 taking into account Basic pay, Dearness Allowance, House Rent Allowance and City Compensatory Allowance, as recommended by Central Wage Board and they were enjoying the wages and other emoluments on par with the registered workers and they were also beneficiaries of the recommendations of the Wage Revision Committee like other categories of workers. The Management's contention is that it was only an ad hoc fixation. I do not agree with such a contention. Ex. M-5 is a Settlement arrived at between the Government of India and the Federations of Port and Dock workers on the implementation of the report of the Wage Revision Committee. Ex. M-5 would clearly show that the recommendations of the Wage Revision Committee came into effect from 1-1-1974. Ex. M-1 is a letter from the Ministry of Shipping and Transport, Government of India to all Port Trusts and All Dock Labour Boards. This was relied upon by the Management that the interim relief was effective only from 26-2-1975. 26-2-1975 is the date of Ex. M-1. Ex. M-4 is the telex message regarding payment of interim relief to casual workers who are neither registered nor listed with the Dock Labour Board and the benefit of interim relief is admissible only to those who are covered by the term "Employee". It contains also the reply by the Deputy Chairman for clarification. Ex. M-3 is a letter by the Deputy Chairman to the Under Secretary to Government of India, Ministry of Shipping and Transport relating to the payment of additional Dearness Allowance to casual workers. Ex. M-2 is the reply to Ex. M-3 stating that they have no objection to the payment of interim relief to the casual workers of the Dock Labour Board with effect from 1-4-1975. On the above correspondence relied upon by the Management they were entitled to the benefit of the recommendations of the Wage Revision Committee only for the period from which the interim relief was given effect to them, viz., from the period of 1-4-1975. I am of view that these correspondence have no significance at all while considering the matter in issue. Item No. 23 of Ex. M-6 has been relied upon for adopting the basis as the period of interim relief and it runs as follows:

"In the case of casual workmen whether the benefit of Wage Revision is to be given or not may be decided with reference to the fact whether these casual workmen are getting interim relief or not".

But the above communication has no significance and this Tribunal has to go into the spirit of the recommendations of the Wage Revision Committee. Clause (vii) Appendix XXIX of the Book 'Report of the Wage Revision Committee for Port and Dock Workers at Major Ports' runs as follows:

"Similar categories of employees as covered under clause (v) ["Employees covered by the Unregistered Dock Workers (Regulation of Employment) Schemes at the ports of Bombay, Calcutta, Madras and Kandla"] above at the port of Cochin, Visakhapatnam, Mormugao and Paradeem".

Having regard to the above provision it is clear that photo-pass casual workers in Cochin Port are equated to the Registered dock workers and as such they are entitled to pay revision from the date of 1-1-1974 like others. Therefore, there is no substance in the contention of the Management that they will be entitled to the revised scale of pay from the period of 1-4-1975, the date of interim relief in the face of the specific mention in report of the Wage Revision Committee. Therefore, my finding on this point is that the photo-pass casual workers will be entitled to the benefit of wage rates recommended by the Government from 1-1-1974 and as such they will be entitled to the arrears for the period from 1-1-1974 to 31-3-1975.

9. An Award is passed accordingly.

Dated, this 24th day of May, 1978.

K. SELVARATNAM, Presiding Officer

WITNESSES EXAMINED

For both sides : Nil

DOCUMENTS MARKED

For workmen

Ex. W-1/6-9-77—Certified copy of record of discussions regarding payment of wage revision arrears to photo-pass casual workers.

For Management

Ex. M-1/26-2-75—Letter from the Ministry of Shipping and Transport, Government of India to all Port Trusts and All Dock Labour Boards regarding payment of interim relief to Port and Dock Workers (True copy).

Ex. M-2/23-7-75—Letter from the Ministry of Shipping and Transport, Government of India to the Cochin Dock Labour Board regarding payment of interim relief to casual workers (True copy).

Ex. M-3/14-7-75—Letter from the Cochin Dock Labour Board to the Ministry of Shipping and Transport, Government of India regarding payment of interim relief to casual workers (True copy).

Ex. M-4—Telex message from the Ministry of Shipping and Transport, Government of India to the Cochin Dock Labour Board and another from the Cochin Dock Labour Board to the Central Government regarding payment of interim relief to casual workers (copy).

Ex. M-5/14-7-77—Settlement between the Government of India and the Federations of Port and Dock Workers on the implementation of the report of Wage Revision Committee (copy).

Ex. M-6/4-8-77—D. O. letter from the Director of Ministry of Shipping and Transport, New Delhi to the Chairman Cochin Port Trust (True copy).

Ex. M-7/17-8-77—Resolution of the Government of India relating to implementation of Wage Revision Committee recommendations.

K. SELVARATNAM, Presiding Officer

[No. L-35011(3)/77-D. IV(A)]

S.O. 1859.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Madras in the industrial dispute between the employers in relation to the management of Cochin Port Trust, Cochin-682003 and their workmen which was received by the Central Government on the 12th June, 1978.

BEFORE THIRU K. SELVARATNAM, B. A., B. L., INDUSTRIAL TRIBUNAL, MADRAS.

(Constituted by the Central Government)

Tuesday, the 23rd day of May, 1978

Industrial Dispute No. 70 of 1977

(In the matter of the dispute for adjudication under Section 10 (1) (d) of the Industrial Disputes Act, 1947 between the workmen and the Management of Cochin Port Trust, Cochin).

BETWEEN

The workmen, represented by

The General Secretary, Cochin Port Wharf Staff Association, Cochin-682003.

AND

The Chairman, Cochin Port Trust, Cochin-682003.

REFERENCE :

Order No. L-35011(4)/77-D.IV(A), dated 2-12-1977 of the Ministry of Labour, Government of India, New Delhi.

This dispute coming on for final hearing on Wednesday, the 10th day of May, 1978 upon perusing the reference, claim and counter-statements and all other material papers on record and upon hearing the arguments of Thiru P. Balagan-gadhara Menon, Advocate appearing for the workmen and of Thiru P. K. Kurian for Menon and Pai, Advocates for the Management and this dispute having stood over till this day for consideration, this Tribunal made the following.

AWARD

This is a reference by the Government of India under Section 10 (1) (d) of the Industrial Disputes Act, 1947 for adjudication of an industrial dispute between the Management of Cochin Port Trust, Cochin and their Outdoor Wharf Staff of Cochin Port Trust over the payment of additional amount at 10 per cent of the revised basic pay as recommended by the Wage Revision Committee.

2. The reference is as follows :

Whether the demand of the Outdoor Wharf Staff of Cochin Port Trust for payment of additional amount at 10% of the revised basic pay in the revised pay scale recommended by Wage Revision Committee as accepted by the Government of India, Ministry of Shipping & Transport, in their Resolution No. LWR-20/77-D. II dated 17-8-77 with retrospective effect from 1-1-1974 is justified? If so, to what relief are the employees concerned entitled?

3. The Union filed a claim statement, wherein they state as follows: The Cochin Port Wharf Staff Association is a Trade Union registered under the Indian Trade Unions Act with its registered office at Cochin-3 in Ernakulam District in the State of Kerala. The membership of this Staff Association consists of all Class III and Class IV employees of the Wharf Establishment of the Cochin Port. The total number of Employees employed in Class III and Class IV is about 563, of which 463 persons are members of the Cochin Port Wharf Staff Association. The staff employed on clerical work in the Cochin Port can be broadly classified into employees doing clerical and supervisory staff in the offices and those working outdoor. The clerical staff working in administrative offices and other main offices are classified as indoor clerical staff and their working hours are 6-1/2 hours per day and 36 hours per week. The working hours are from Monday to Friday 10.00 A.M. to 5.00 P.M. with half an hour interval and on Saturdays from 10.00 A. M. to 1.30 P. M. The clerical staff working outside the administrative and Main offices have been classified as outdoor clerical staff. The Wharf Staff "Class III" belongs to the outdoor clerical category. Their working hours are 8 hours in a day or 48 hours in a week. Thus they worked 3 hours per day and 12 hours a week more than the indoor clerical staff. The Wharf Staff made a claim for a reduction of duty hours so as to bring it to the same level as indoor clerical staff. But the Port Authorities did not agree to reduction of working hours and constituted a sub committee of the Board of Trustees of Cochin Port by resolution of the Board dated 23-11-1972. The sub committee after taking into consideration the representations of the affected parties and after examining the nature of duties of the outdoor clerical staff unanimously decided to recommend to the Board the payment of an additional amount of 10 per cent of the basic pay of the Wharf Staff as compensation for the extra hours of work until an alternative arrangement is made. The recommendations of the sub committee came up for consideration before the Board of Trustees and the Board resolved on 24-2-1973 to accept the recommendations without any alteration. Thus the Wharf Staff are getting 10 per cent of their basic pay as compensation for the extra hours of work from 24-2-1973. The Government of India by their proceedings dated 11-12-1974 set up a Wage Revision Committee to make enquiries and make recommendation in the matter of existing wage structure of the employees. The Committee found that the demand of the outdoor workers were justified. They are also found that there should not be any discrimination in the working hours and both categories of staff should work for 8 hours a day. But they did not recommend outdoor allowance from the date of Government decision on the wage revision committee report from 17-8-1977. The recommendation of the Committee was the subject matter of the decision with the representatives of the four all India Federations of the Port

and Dock Workers in June and July, 1977. As a result, a memorandum of settlement was signed between the Government and the Federations on the 14th of July, 1977 for the implementation of the recommendations of the Wage Revision Committee with effect from 1-1-1974. As a result of the Settlement and the decision of the Government the outdoor workers are not to be deprived of an additional amount of 10 per cent of the basic pay as compensation for extra hours of work. By the proceedings, dated 17th August, 1977, the Government of India implemented the new scales of pay from 1st January, 1974 and the Wharf Staff are entitled to be paid compensation for extra hours of work at 10% of the revised basic pay as before. But to their surprise, the Cochin Port Trust contrary to the decision of the Government to implement the decision of the Wage revision unilaterally decided on 13th of August, 1977 that the outdoor allowance will be payable at 10 per cent of the maximum of the pre-revised scale for each category and thereafter a circular was issued by the Cochin Port Trust dated 25th August, 1977 directing payment of 10 per cent of the maximum of the pre-revised scale as compensation. Thus the decision of the Port Trust is illegal and they protested against the decision of the Port Trust and did not agree and the direct negotiations also failed. Hence the matter was referred to the Tribunal. Hence the Tribunal may be pleased to fix the compensation for doing extra hours of work calculating it at 10 per cent of the revised basic pay with effect from 1-1-1974.

4. A counter-statement was filed by the Management denying all the allegations contained in the claim petition. They state as follows: In 1972, the Wharf Staff made a demand for reduction in the working hours so as to bring it in level with that of the indoor clerical staff, the Board of Trustees of the Cochin Port Trust constituted a sub-committee by Resolution dated 23-1-72, to go into the matter. The Sub-Committee made an Interim recommendation recommending the payment of additional amount at 10 per cent of the basic pay of the wharf staff as compensation for the extra hours of work until such time as the Board is in a position to make an alternative arrangement or a decision on an all-India level is arrived at when the recommended benefit of compensation will be discontinued. Following the recommendation, the Board in its meeting on 24-2-1975, accepted the recommendations of the Sub-Committee. On the basis of this interim arrangement, the Wharf Staff who worked for the normal 8 hours a day were given an extra payment at 10 per cent of their basic pay. A Wage Revision Committee was set up by the Government of India in 1974 in respect of employees in the major ports in India. The Wage Revision Committee recommended that there was no justification for reduction in the working hours of outdoor staff nor is there any justification for payment of overtime and such practice should be discontinued and it should come into effect prospectively. In view of the recommendation the practice was discontinued with effect from the date of Government accepting the recommendations of the Wage Revision Committee. In the settlement between the Government of India and the Federations of Port and Dock Workers on the implementation of the Report of the Wage Revision Committee on 14-7-1977 by Clause (m), it was provided that any facility prevailed and enjoyed by the workers should not be reduced by reason of the recommendations of the Wage Revision Committee and it can be reduced or withdrawn to the extent and manner as provided for in the agreement. In the face of the above terms of Settlement, what was paid for the extra hours of work could be construed at best only as a benefit. Viewed in that light, they would be entitled to payment of 10 per cent of the then basic pay prior to the implementation of the recommendations of the Wage Revision Committee and they cannot claim payment of 10 per cent on the basis of the revised basic scales by the Wage Revision Committee.

5. ISSUE: The point that arise for consideration is whether the Wharf Staff are entitled to 10 per cent of the revised basic pay by the Wage Revision Committee from 1-1-1974.

6. The contention of the Management is that 8 hours work a day is a normal rule and it should be applied both to the Indoor Staff of the Port as well as the Outdoor Staff viz., the workers in the Wharf. They cannot claim extra benefit which they were enjoying by way of interim arrangement before the recommendations of the Wage Revision Committee and after the Government accepted the principle that 8 hours a

day is a normal rule and there was no justification for the Wharf staff to claim the extra benefit. Their further contention is, assuming that they are entitled to extra benefit, at best they will be entitled to 10 per cent on the basis of the pay prior to the revision of scales of pay as recommended by the Wage Revision Committee and accepted by the Government in 1977. I have to consider what was the spirit of the recommendations of the Wage Revision Committee. Ex. M-1 is the extract of the Wage Revision Committee Recommendations. The relevant passages are Paragraphs 8.76, 8.77 and 8.80. In paragraphs 8.80, it is stated as follows:

"We have given careful thought to the issue. Prima facie, the present discrimination in working hours in favour of indoor ministerial employees working in relatively more comfortable surroundings is not equitable. While it may be possible, as in Visakhapatnam Port, to reduce the working hours of some categories of outdoor ministerial staff, it may not be feasible for operational reasons to reduce the working hours of those categories of outdoor ministerial staff who have to work throughout the shift alongside the outdoor operational staff. Apart from that, the outdoor ministerial staff is recruited with the tacit understanding that their working hours would be 8 a day or 48 a week. There is, therefore, no justification for reducing the working hours of those who are employed with such understanding or for paying them for supposed extra hours of work. In our view, port organisations being industry-oriented, the normal rule should be 8 hours duty for both indoor and outdoor staff".

It is clear from the above said observation that there cannot be a distinction between the working hours between the indoor workers and the wharf staff. All should work 8 hours a day. The basis of the Union's claim is that the payment which they were entitled should be construed as a benefit and they should not be taken away by reason of the recommendations of the Wage Revision Committee and that was recognised by the Settlement Ex. M-2 dated 14-7-1977. Clause (m) of Ex. M-2 is provided as follows:

"Merely as a consequence of implementation of the recommendations of the W.R.C. any facility, privilege, amenity, benefit monetary or otherwise, or concession to which an employee might be entitled by way of practice or usage shall not be withdrawn, reduced or curtailed except to the extent and manner as provided for in this Agreement".

It is admitted by reason of such Settlement, the Port Trust, while implementing the recommendations of the Wage Revision Committee, directed payment of allowance at 10 per cent of the maximum of the pre-revised scales applicable to each category of employees from the date of the Government's resolution. But the Union is not satisfied, and what they want is, they should be paid 10 per cent as the revised basic pay in the new scales. In view of the Wage Revision Committee Recommendations as accepted by the Government, the Wharf Staff as well as the indoor staff should do 8 hours a day. If the Wharf staff get 10 per cent of the basic pay it can be construed only as a benefit conferred on the Wharf staff. Now the Union wants the extra benefit which they enjoyed should be linked with the enhanced pay revision as recommended by the Wage Revision Committee and accepted by the Government. It is significant to note that Wage Revision Committee was quite silent about it. When there is no such provision in the Wage Revision Committee Recommendations, the Tribunal has to construe it strictly. Clause (m) of the Settlement

Ex. M-2, which provides that there should not be any reduction or curtailment in the monetary benefit. When once the principle of 8 hour work is accepted, the extra payment of 10 per cent at the old rate of pay should be construed. Now the Union wants only a monetary benefit to enhance the benefit of the revised scales of pay, which I feel it is not justified having regard to the spirit of the Agreement arrived at under Ex. M-2. Therefore my answer on this point is that there is no justification for the demand by the Union for the payment of additional amount at the rate of 10 per cent on the revised basic pay in the revised wage scales as recommended by the Wage Revision Committee.

7. In the result, an Award is passed negating the demand of the workers.

Dated, this 23rd day of May, 1978.

K. SELVARATNAM, Presiding Officer.

WITNESSES EXAMINED

For both sides : Nil.

DOCUMENTS MARKED

For workmen :

- Ex. W-1—Recommendations of the Sub-Committee regarding deduction of working hours.
- Ex. W-2/27-4-77—Memorandum of the Indian National Port and Dock Workers Federation to the Government of India in respect of Wage Revision Committee Recommendations (copy).
- Ex. W-3/24-8-77—Letter from the Union to the Management preferring payment of 10 per cent extra wages (copy).
- Ex. W-4/13-10-77—Letter from the Union to the Management requesting to settle the demands (copy).
- Ex. W-5—Reply letter from the Management to Ex. W-4 (copy).
- Ex. W-6—Resolution of the Board of Trustees of the Cochin Port Trust (copy).

For Management :

- Ex. M-1—True extract of paragraphs 8.76 to 8.82 from the Wage Revision Committee Recommendations relating to payment for outdoor work.
- Ex. M-2/14-7-77—Settlement between the Government of India and Federations of Port and Dock Workers on the implementation of Wage Revision Committee Report (copy).
- Ex. M-3/30-7-77—Clarificatory Telex Message from the Ministry of Shipping and Transport to the Cochin Port Trust regarding payment of 10 per cent outdoor allowance (copy).

K. SELVARATNAM, Presiding Officer

[No. I-35011(4)/77-D.IV(A)]

NAND LAL, Desk Officer.

